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HISTORY
OF THE
STATE OF NEW YORK.

v. 2, pt. 2.

BY
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CHAP. VII. facts were not what Penn and his friends asserted. Berkeley could only convey what the duke had granted to him; and the duke had never granted to Berkeley express powers of government. Moreover, the Quaker argument disingenuously avoided any reference to the duke's second patent from the king in 1674, while it maintained that the Peace of Westminster had reinvested Berkeley with his annihilated rights. By that treaty, however, as has been seen, the Dutch conquerors relinquished New Netherland to the king; and Charles afterward granted the whole of it to his brother.*

1689.
Fallacy of
Penn's argu-
ment.

Opportuni-
ty of the
Duke of
York.

If the Duke of York had now been free from political anxiety, he might have settled this New Jersey question on the grounds afterward taken by the ministers of William the Third, and declared that his secondary releases neither did nor could transfer rights of government to his grantees; because such sovereign authority, having been intrusted to him personally by the king, was "inalienable from the person to whom it is granted."†

The Duke's
resolution.

But James had again to seek refuge in Scotland from the furious malice of his enemies. In this strait the duke resolved to refer "the whole matter" of his right to customs' duties from West Jersey to the decision of "the greatest lawyer of England," Sir William Jones, who had, just before, resigned his place as attorney general, and was now a vehement opponent of the king. When it had been proposed to govern Jamaica without any Assembly, Jones advised his sovereign "that he could no more grant a commission to levy money on his subjects there without their consent by an Assembly, than they could discharge themselves from their allegiance to the English Crown." Yet Jones held it to be incontrovertible "that the Parliament might rightfully impose taxes on every dominion of the Crown." This fallacy was the "universal opinion" of English jurists at that time. An English Parliament might tax an unrepresented colony of England when her sovereign might not. Jones had been retained by Stoughton and Bulkley, the agents of Massachusetts, as their counsel.

Sir Wil-
liam Jones.

* S. Smith, 117, 121; Leaming and Spicer, 10, 41-45, 64, 413; Gordon, 42; *ante*, 82, 260, 261, 267.

† Representation of the Lords of Trade, 21 October, 1701, in Leaming and Spicer, 607, 608, 613; S. Smith, 663, 670; Gordon, 23, 54; Bancroft, iii, 47.

and aided them in preventing the change which the king meant to make in its government. And now, this "wary" and "timorous" Parliamentary advocate uttered a cautious opinion: "I am not satisfied (by any thing that I have yet heard) that the Duke can legally demand that or any other duty from the inhabitants of those lands. And that which makes the case the stronger against his Royal Highness is, that these inhabitants claim under a grant from his Royal Highness to the Lord Berkeley and Sir George Carteret, in which grant there is no reservation of any profit, or so much as of jurisdiction."⁷

CHAP. VII.

1680.

23 July.
Jones's
wary and
timorous
opinion.

This was a model report for a referee wishing to evade a decision or becloud the truth. Avoiding several material facts in the case, Jones cited only the duke's first grant to Berkeley and Carteret in 1664, and ignored both the Dutch conquest of 1673 (which annihilated that grant), and the king's second patent to his brother in 1674. Sir William must have meant either that James never had any "jurisdiction" under his first patent from the king (which was not suggested), or else that the duke had released—because he had not reserved—that jurisdiction. Yet Jones was too good a lawyer to affirm that a mere release of a "tract of land" with its "appurtenances," in "as full and ample manner" as they had been originally granted, could convey powers of government from one English subject to another. This fallacy would have been too transparent.

Jones's
opinion
fallacious.

The Duke of York, however, had neither time nor inclination to contest the matter. Easily as he might have confuted its fallacies, he determined to give liberal effect to the late attorney general's cloudy opinion. Without waiting for his own counsel—Churchill and Jeffreys—to approve it, James executed a deed tendered by Byllinge, "the more firmly to convey the said West New Jersey to him and the rest of the Proprietors, and plainly to extinguish the demand of any customs or other duties from them, save the rent as reserved at the first." By this instru-

6 August.
The Duke
of York's
decision as
to West
Jersey.

* Clarke's James II., i., 588-600; Col. Doc., iii., 284, 285; Force's Tracts, iv., No. ix., 46; Mather's Magnalia, i., 178; Chalmers's Ann., i., 240, 619, 626; Rev. Coll., i., 150, 173; *ante*, 316. Jones succeeded North as attorney general in 1674; resigned in October, 1679; and was succeeded first by Sir Cresswell Levis, and then by Sir Robert Sawyer: N. Luttrell, i., 24; Beaton, i., 416, 433; Kennett, iii., 300, 379, 391; Burnet, i., 396, 433, 455, 532; Temple, ii., 562; Evelyn, ii., 159; Parl. Hist., iv., 1208. As to Jones's private employment as counsel for the Massachusetts agents, see Palfrey, iii., 326, 367, 368; *ante*, 316, 336.



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CHAP. VII. ment—which carefully recited the reconquest by the
 1680. Dutch, and the several conveyances of the territory—the
 The duke duke transferred to Byllinge, Penn, Laurie, and their as-
 release sociates, all the authority and power of government which
 of West New Jersey. in the king's two patents to him “were granted or intend-
 ed to be granted to be exercised by his said Royal High-
 ness, his heirs, assigns, deputies, officers, or agents in, upon,
 or in relation unto the said premises hereby confirmed.”*

September. The accounts which Philip Carteret sent over of his
 treatment by Andros soon afterward reached London, and
 10 Septem. Lady Carteret, Sir George's widow, complained to the duke,
 who at once said that “the Lord Proprietor should have all
 right done him in the enjoyment of the Province and the
 Government thereof; and that his Royal Highness would
 not in the least derogate from what he had granted to Sir
 George Carteret, and doth wholly disown and declare that
 Sir Edmund Andros had never any such order or authori-
 ty from him for the doing thereof.” As he had just re-
 leased all claim over West Jersey to Byllinge and his
 friends, he determined to do the same to the claimants of
 6 Septem. East Jersey. James therefore directed his counsel to pre-
 The duke's pare a deed confirming to Sir George Carteret, the grand-
 release of son and heir of the original grantee, his moiety of New
 East Jer- Jersey. The next month, a few days before he returned to
 sey. Edinburg, the duke executed an instrument by which he
 16 October. relinquished all his claims to East Jersey. These meas-
 6 Novem. ures were notified by Werden to Andros, to prevent any
 doubt of the validity of the deeds when they should be
 produced in New York.†

Complaints The enemies of Sir Edmund had meanwhile not been
 against idle. Complaints were made to the duke not only by the
 Andros. Quakers, but by Billop, and various other “private men;”
 and “suggestions” were insinuated that the governor

* Col. Doc., iii, 285; Leaning and Spicer, 412-419; Chalmers's Ann., i., 619, 626; Rev. Col., i., 159, 173; S. Smith, 125, 567; *anon.*, 83, 260-268, 393-406.

† Leaning and Spicer, 685, 686; Col. Doc., iii., 285, 286; Chalmers's Ann., i., 619, 626, 637; Commissions, i., 19; Ord., Warr., etc., xxxvii½, 41; Gordon, 42; Whitehead's E. J., 81, 82, 192; Index N. J. Col. Doc., 8; Eliz. Bill, 8; *anon.*, 333, 334. The duke's release of 16 October, 1680, to the youthful Sir George Carteret, seems to have been made without knowing that the trustees under the will of the deceased baronet had, on the 6th of March, 1680, conveyed East Jersey to Thomas Cremer and Thomas Poock: Eliz. Bill, 8; Leaning and Spicer, 73, 145. When that became known, the release was probably revoked, or, at all events, considered inoperative. It is not alluded to in the duke's subsequent grant of 14 March, 1681, to the twenty-four proprietors: Leaning and Spicer, 145, 664; Whitehead's East Jersey, 82, 83; Eastern Boundary of N. J., 43, 54; N. J. H. S. Proc., x., 124-129.

favored Dutchmen in trade, made laws hurtful to the English, detained ships unduly for private reasons, admitted Dutch vessels to a direct trade, or traded himself in the names of others. Moreover, James had received offers to farm his revenue in New York, which differed "so vastly" from the accounts rendered by his governor, that he resolved to send out an agent to make "a strict enquiry" on the spot. As the duke and his officers had "but loose and scattered notions" respecting the government of Andros, he was directed to return "by the first convenience" to England; "that I may have," wrote James, "the better opportunity to be informed in all those particulars from yourselfe, and that you may also have the satisfaction to obviate such matters as, if unanswered, might leave some blemish upon you, how little soever you may (in truth) have deserved any." Sir Edmund was farther directed to commit his government to Brockholls, and to give such instructions for the public safety as circumstances might require.^{24 May. Andros recalled.}

John Lewin, supposed to be "a person wholly unconcerned," was at the same time commissioned by the duke as his "Agent and servant" in New York, Albany, and his other territories in America, to inquire into all his revenue accounts, examine records, and ascertain whether trade had been obstructed, and if so, how it might be encouraged. Lewin was minutely instructed as to his duties, which were, to make such diligent inquiries as might inform the duke "of the true state and condition of all those places, in relation to the trade thereof, and of all the parts and branches of the Revenue and other profits, as well certain, as accidental or casual, which doe properly and justly belong unto me, as I am the Proprietor of the said places, or otherwise. And alsee, that I may have a true, full, and just information and knowledge, of the reall, constant, and necessary charge and expense, which must be laid out and issued, for the maintenance and support of the government of those places." Andros was farther directed to enable Lewin to take such examinations as he might desire, under oath, within the government of New York.^{24 May. John Lewin commissioned as agent. Lewin's instructions.}

* Col. Doc., iii., 253, 284; Chalmers, i., 552; Dankers and Shuyter, 350.

† Col. Doc., iii., 279-284; S. Hazard, 470, 471, 472. Lewin appears to have been a Lon-

CHAP. VII.

1680.
16 October.
29 October.
Andros
obeys his
recall.

30 October.
Brockholls
appointed
command-
er-in-chief.

17 Novem.
Meeting of
the provin-
cial jus-
tices.

The duke's
customs'
duties not
formally
renewed.

The duke's agent reached New York while Sir Edmund was absent at Boston, whither he had gone to meet Lord Culpepper, the governor of Virginia, who was on his way to England. When Andros returned, Lewin exhibited his commission, but not his instructions from James. This sudden recall surprised the Governor of New York, who could not anticipate what had occurred about New Jersey after Lewin had left England. But Sir Edmund was too good a soldier not to know that his first duty was obedience. He therefore summoned his council to meet "the same morning;" ordered Lewin's commission to be recorded; and directed it to be communicated to the "other jurisdictions of the government," and published at New York "by ring of bell." Andros also proposed to "go home" at once. To this the council objected that much must be done before the government could be properly settled. The next day Brockholls was ordered down from Albany to take chief command of the province. All its justices were summoned to meet at the metropolitan hall. On the appointed day, the justices who could be had "in so short a time, and at that season of the year," were present. Each of them certified to the "good state" of their several precincts; and, with the advice of his council, which Lewin attended, Sir Edmund ordered "the continuing all as then settled."*

By some accident, an important enactment was neglected. The customs' rates, which, under James's instructions, had been renewed for three years by his governor in November, 1677, now ceased, by the expiration of their limited term. No order to continue them had been received from the duke; and, in the hurry of preparing to return to England, Sir Edmund either forgot the matter, or supposed it to be settled by his recent general order in council, that every thing was to remain "as then settled." Could Andros have foreseen the trouble which this technical or formal omission produced, he would hardly

don attorney, and was at this very time appointed by the Narragansett proprietors to be one of their agents to represent them before the council: Arnold's Rhode Island, i. 46. He seems to have felt aggrieved by some legal proceedings in the Mayor's Court of New York, in a suit to which he was a party: Col. MSS., xxiii., 174; xxix., 2, 8, 18.

* Col. Docs., iii., 244, 292, 302, 308, 309, 313; Col. MSS., xxix., 258; Cpl., Warrants, etc., xxxii½, 8, 9, 14; Hazard's Ann., 481; Reg. Penn., iii., 32, 33; iv., 81; *ibid.*, 335.

have neglected to renew the duke's customs' duties by a temporary order, which his governor was always empowered to make, "with the advice of the council."* CHAP. VII.
1680.

The end of this year was marked by the appearance of a "blazing star" of extraordinary brilliancy. A few days after Brockholls left Albany, the commissaries there reported that "a dreadful comet" had appeared in the south-west, about two o'clock in the afternoon, and asked for a day of fasting and humiliation to avert the "dreadful punishments" supposed to be threatened. This pious request was granted. The comet was also observed in New Jersey, the New England colonies, and the metropolis. In Europe the brilliant apparition caused as much terror as in America; and Evelyn, in London, prayed God to "avert his judgments." But the grander Newton, by careful study, made the phenomenon a useful servant of astronomy, by demonstrating that comets revolve around the sun in parabolic orbits and in regular periods.†

With the new year Andros made his last arrangements for his return to England, supposing it would be short, in spite of Lewin's declarations to the contrary. Sir Edmund therefore left his wife in New York. By a special commission he appointed Brockholls to be "Commander-in-Chief of the Militia in this City, Government, and dependencies, during my absence, or 'till further orders; and in any civil matter requiring the same, with the Council to act for the continued welfare of His Majesty's subjects, as a Commander, or Chief Officer may, and ought to do, according to law and practice." The next day the governor left the metropolis, and soon afterward sailed from Sandy Hook.‡ 1681.
6 Jan'y.
Andros
leaves
New York.

Not long after Andros was recalled from the government of the duke's province, he described it as follows: "At my first coming to New Yorke, I found the place poore, unsettled, and without trade, except a few small coasters; December.
Andros's
description
of New
York in
1681.

* Col. Dec., iii., 217, 218, 246, 289, 292; Col. MSS., xxvi., 5; Ord., Warr., etc., xxxii/2, 43, 44, 45; Council Journ., i., Introd., viii.; *ante*, 312.

† Ord., Warr., etc., xxxii/2, 31; Doc. Hist., iii., 532; Hatch, i., 348; Holmes, i., 399; S. Smith's New Jersey, 136, *note*; Evelyn, ii., 163; Grahame, i., 249. See also Sir J. W. F. Herschel's masterly account of this "magnificent" comet in his "Familiar Lectures" (London, 1860), 108-111.

‡ Col. Dec., iii., 285, 300; Ord., Warr., etc., xxxii/2, 27, 31, 55, 74; Hazard's Reg. Penn., iv., 82; Annals, 485; Doc. Hist., iii., 532. Secretary Nicolls appears to have accompanied or soon followed Andros to England: Col. Dec., 314, 315; Wood, 150; Col. MSS., xxx., 14.

CHAP. VII. hardly any went or came from beyond seas; and severall
 1681. parts of the government never before well subjected under
 his Royall Highness; since which, by his Royall H.'s fa-
 vour, greatly increased in people, trade, buildings, and oth-
 er improvements; new townes and settlements lately built,
 and the Colony improved in all other advantages beyond
 any of our neighbours. A mold or harbour made to the
 city, of generall advantage as aforesaid. A market house
 (the only one in all those parts), and now constantly well
 supplied; and the navigation increased at least ten times
 to what it was, and plenty of money (hardly seen there be-
 fore) and of all sorts of goods at reasonable rates for our
 owne and neighbours supplies; and noe disaster happened
 in any part of the government during my command there,
 though constantly serviceable to our English neighbours
 both east and west, who suffered much by the Indian war;
 in the composing whereof, I was a principal instrument;
 and also freed neare one hundred of their captives, &c. I
 doe not know that any have been discouraged from going
 to trade or settle at New Yorke; but many hundreds (I
 may say thousands) have actually come traded and settled;
 and very few (if any) have quitted the place during my be-
 ing there."*

4 March.
 Founda-
 tion of
 Pennsylv-
 ania.

William
 Penn.

While Andros was on his way back to England, a British royal parchment founded a new American state. As one of the owners of West Jersey, William Penn had looked closely into the condition of its neighborhood. He saw that there was a vast forest, west of the Delaware River, unoccupied by Europeans, and which, although it had been a part of the ancient Dutch "New Netherland," had not been included within the patent of Charles the Second to the Duke of York. To enterprising British subjects this region was yet a *vacant domicile*. Nevertheless, the savage owners of the Susquehanna country had recently, as has been stated, transferred it to the government of New York. Moreover, James claimed the Delaware territory adjoining Maryland as an appendage to his own province. But William Penn was one of the most adroit Englishmen of his time. Next to George Fox, he had become the ablest minister of Quakerism. Next to Robert Barclay, Penn was

* New York Colonial Documents, iii., 313; compare *ante*, 312.

its most learned and ingenious champion. His principles of passive obedience commended him not less to the graceful and perfidious Charles than to the more arbitrary yet honest James. Besides this, Penn had a special clutch on both. His father, Sir William Penn, "the greatest hypocrite in the world," had been an admiral of England, first under its Protector, and then under its King; and he had been wise enough to secure for himself and his son the friendship of the ever-constant Duke of York. At the admiral's death, the king owed his estate some sixteen thousand pounds. Of both these circumstances Sir William Penn's cunning heir took advantage. Charles had no money; but he claimed much wild land in North America, which he could give away to a favorite, or assign in discharge of a debt. So, while the younger Penn was arguing his case as a proprietor of West Jersey before the duke's commissioners, he petitioned the king to pay off his dead admiral by granting to that admiral's son the vast region "lying north of Maryland; on the east, bounded with Delaware River; on the west, limited as Maryland; and northward, to extend as far as plantable."¹

CHAP. VII.

1681.

May.
Penn asks
for much
American
ground.

These were vague and startling boundaries for a royal grant in North America. By the king's order, Lord Sunderland referred this petition to the Plantation Committee, who summoned Penn before them, and asked "what extent of land he will be contented with northerly?" Penn declared himself "satisfied with three degrees to the northward; and that he is willing, in lieu of such a grant, to remit his debt due to him from his Majesty, or some part of it." This was ordered to be communicated to the agents of the Duke of York and of Lord Baltimore, both of whom were concerned. On the part of James, Sir John Werden objected to any interference with the Delaware territory, which was "an appendix" to New York; and Lord Baltimore's agents prayed that there should be no encroachment on Maryland. Penn, however, represented "his case and circumstances" so skillfully that the duke, who had just resigned all claim over New Jersey, recommended the king to grant him the land north of Newcastle, on the west side

1 June.

14 June.
Penn asked
what will
content
him.

23 June.

Maryland
and New
York con-
cerned.

16 October.

* Pepys, ii., 69; Hazard's Reg. Penn., i., 269, 341-343; Annals, 474; Froude, i., 167-170; Chalmers, i., 635; Dixon, 173, 174; Grahame, i., 492-499; Bancroft, ii., 389-392; Macaulay, i., 592; ante, 4, 328, 329.

CHAP. VII. of the Delaware, "beginning about the latitude of forty degrees, and extending northwards and westwards as far as his Majesty pleaseth."*

1680.

The draft of a patent, which Penn had himself modeled after Lord Baltimore's Maryland charter, was revised by Sir Robert Sawyer, the new attorney general, and its boundaries were adjusted. Chief Justice North added clauses to secure the king's sovereignty and the power of Parliament; and at the request of Bishop Compton, of London, the interests of the Church of England were specially guarded. At length the charter was submitted to the king, that he might name his fresh American province. Penn suggested "New Wales." This was objected to by the Welsh secretary, Blathwayt. Penn then proposed "Sylvania," because of the magnificent forests of the region. But Charles, out of respect to his deceased admiral, "would give it" his name; and the new province was accordingly called "Pennsylvania."†

1681.
January.

24 Febr'y.
Penn's
charter for
his prov-
ince.

4 March.
The En-
glish char-
ter for
Pennsylva-
nia.

The charter of Pennsylvania, as it passed the English great seal, granted to William Penn, and his heirs and assigns, "all that tract or part of land in America, with all the islands therein contained, as the same is bounded on the east by Delaware River, from twelve miles distance northward of Newcastle Town unto the three and fortieth degree of northern latitude, if the said river doth extend so far northwards; but if the said river shall not extend so far northward, then, by the said river so far as it doth extend, and from the head of the said river the eastern bounds are to be determined by a meridian line to be drawn from the head of the said river unto the said three and fortieth degree; The said lands to extend westwards five degrees in longitude, to be computed from the said eastern bounds; and the said lands to be bounded on the north by the beginning of the three and fortieth degree of northern latitude, and on the south by a circle drawn at twelve miles distance from Newcastle, northwards and westwards unto the beginning of the fortieth degree of northern latitude; and then by a straight line westwards

* Hazard's Reg. Penn., i., 269, 270; Annals, 475-480; Chalmers, i., 635, 636, 637-638; Proud, i., 170, 269.

† Hazard's Reg., i., 269, 270, 273, 274, 297; Annals, 480-500; Chalmers, i., 636, 637, 638; Dixon, 182; Sewel, 576; Hist. Mag., viii., 180, 181; Penn. Arch., i., 141.

to the limit of longitude above mentioned." Of this territory Penn was made the absolute proprietor, with power to ordain laws, appoint officers, and enjoy the general authority of a feudal chief. But all laws were to be assented to by the freemen of his province, and to be subject to the king's approval; and no taxes were to be laid nor revenue raised unless by a Provincial Assembly; reserving, always, the supreme power of the Parliament of England to regulate commercial duties. Episcopalians, approved by the Bishop of London, were also to "reside within the said Province, without any denial or molestation whatsoever."²

CHAP. VII.

1681.

Episcopacy provided for in Pennsylvania.

After procuring a letter from the king declaring his patent, Penn appointed his kinsman, William Markham, to be his deputy governor, and dispatched him to take possession of his province. Andros, who was now in London, was also directed by Werden to notify his subordinates in New York of the Pennsylvania charter. Markham sailed at once to Boston, and, on reaching New York, received from Brockholls instructions to the duke's officers within the limits of Pennsylvania to obey the government of its actual owner. The surrender was accordingly completed; preliminary covenants were made with the savages; and Markham, in an interview with Lord Baltimore, found that a vexatious question of boundaries was to be settled between the proprietors of Maryland and Pennsylvania.[†]

2 April.

10 April.

Markham comes to America.

12 May.

21 June.

Brockholls relinquishes Pennsylvania to Markham.

September.

Meanwhile, Philip Carteret, informed of the Duke of York's action in regard to East Jersey, had issued a proclamation disowning the authority of the Governor of New York. A few weeks afterward Brockholls sent to Carteret a copy of Warden's notification, and promised that when the duke's deeds were produced he would respect them. Until then he required Carteret to desist from meddling with the government.[‡]

2 March.

14 April.

Carteret and East Jersey.

15 April.

* The Charter of Pennsylvania is printed at length in Colden, ii., 164-182; Proul, i., 171-187; Hazard's Register, i., 293-297; Annals, 485-499; Colonial Rec. Penn., i., 17-26; Chalmers, i., 636-639.

† Hazard's Register, i., 395; iii., 33; Annals, 501-516, 524, 538; Upland Records, 195, 196; Chalmers, i., 649, 641; Proul, i., 189-196; Dixon, 191; Colonial Doc., iii., 286, 290; Col. MSS., xxi., 143, 144; Ord., Warr., etc., xxxij., 49, 50. Andros reached Portsmouth from New York on 1 March, 1681: Ord., Warr., etc., xxxij., 46.

‡ Leaning and Spicer, 655, 686; Ord., Warr., etc., xxxij., 41, 42, 43; Whitehead's East Jersey, 75, 76; *ante*, 342. Philip Carteret now followed the example of his kinsman, James, in 1673 (*note*, 190, *note*), by wedding a New York wife. On the 26th of March, 1681, he obtained a license from Brockholls to marry Mary Elizabeth Smith, widow of William Law-

- CHAP. VII. About the middle of July Secretary Bollen returned from London with the desired papers, and with orders from Lady Carteret "to lay claim to Staten Island, as belonging to us, according to His Royal Highness's grant." This was an ill-founded pretense. As early as 1669 Staten Island had been "adjudged to belong to New York." This judgment had been respected by all parties; and in 1670 Lovelace had bought the island for the Duke of York from its savage claimants. With a knowledge of these facts, Sir George had obtained from the duke, in 1674, a new grant of New Jersey to himself, in severalty. Yet now his widow, seeing that James was exiled in Scotland, thought that she might win Staten Island if she made a bold push. Accordingly, Bollen, in behalf of the dowager, submitted various papers to Brockholls; claimed Staten Island for her as a part of East Jersey, and demanded its surrender. No notice being taken of this demand, Bollen was sent again to Fort James with more documents. These, being examined in the New York Council, were found insufficient to enable Carteret "to act in or assume the government of New Jersey," and Brockholls required him to desist until he should, agreeably to his parole, "produce and show a sufficient authority." No allusion was made to the claim of Staten Island on the part of its deceased proprietor's dowager; but in writing to Andros and to Werden, Brockholls declared that he would not part with that island unless by special orders from the duke.*
- Carteret naturally complained of Brockholls's "uncivil answer," and acquainted the grasping widow that the New York authorities would not surrender to her Staten Island, which, he pronounced, "is as much your Honor's due as any other part of this Province." Brockholls, however, while denying Carteret's authority, did not disturb his local government. An East Jersey Assembly was quietly held at Elizabethtown, which voted the proceedings of Andros illegal. Nevertheless, the old spirit of discord broke out again. In the autumn, the Assembly quarreled with Car-
1681. Carteret claims Staten I-land.
21 July.
26 July.
21 July.
30 July.
28 July.
30 July.
23 July.
19 October
2 Novem.

rence, of Flushing, on Long Island, and the wedding took place the next month: Ord., Warr., etc., xxxiiij, 39; Thompson's Long Island, ii., 364, 365; Whitehead, 84; Henshaw, 165; Col. Doc., ii., 607, *note*.

* Ord., Warr., etc., xxxiiij, 53, 54, 55, 57; Col. Doc., iii., 285; Leaming and Spicer, 285; Whitehead, 77, 216; Mass. H. S. Coll., xxxvii., 315; *ante*, 149, 166, 263, 334.

teret and his council, respecting the right of the proprietors to alter their "concessions," and the governor dissolved his refractory Legislature. This was Philip Carteret's last important public act. East New Jersey soon passed into other hands, and its first governor gave up the authority he had so long exercised.*

CHAP. VII.

1681.

The recall of Andros, the presence of Lewin, and the incapacity of Brockholls, meanwhile produced insubordination throughout New York, which was weakly attempted to be checked. At length, provincial trouble culminated in the metropolis. In the hurry of his departure, Sir Edmund, as has been told, neglected to renew, by a special order, the Duke of York's customs' duties, which had expired, by their three years' limitation, in November, 1680. This oversight being "publicly known to the merchants," they refused to pay any duties to the duke on what they imported into his province. It does not appear that the recusants abated a farthing from the prices of the goods they sold to consumers; but they nevertheless seem to have thought—as, perhaps, modern smugglers and cheats often think—that any compensatory evasion of the revenue laws of a country is a proper, if not a patriotic felony. This seems to have been the moral philosophy of the "merchants" of New York in the spring of 1681. While Brockholls was at Albany, looking after Indian affairs, and Collector Dyer lay "ill of a fever" in the metropolis, a pink from London came into port, and her cargo was taken to the warehouses of her consignees, who "absolutely" refused to pay any customs' duties to the duke's provincial officers. In this quandary, Brockholls, when he got back to town, summoned his council. Wanting the guidance of the experienced Secretary Nicolls, that body decided that there was "no power or authority" to continue expired taxes "without orders from His Royal Highness." This may have been convenient shirking, but it was not even provincial statesmanship. James himself thought so when this

Insubordi-
nation in
New York.The mer-
chants re-
fuse to pay
duties.

9 May.

14 May.
Brockholls
called
Council.

* Ord., Warr., etc., xxxii½, 57; Leaming and Spicer, 127, 133, 657; Col. Doc., iii., 200-209; Chalmers, i., 620; Gordon, 48; Whitehead, 80, 192-195; Hatfield, 135, 210, 211, 212. It would seem that Lady Carteret did not know or recognize the conveyance to Cromwell and Pocock of 6 March, 1680 (*note*, 342, *note*); and Philip Carteret (who knew all the facts about Staten Island belonging to New York) may have been sarcastic when he told her that it was as much her "du" as any part of New Jersey: compare *note*, 149, 150, 154, 200; Hist. Mag., x., 297-299; N. J. H. S. Proc., x., 55-153; i. (ii.), 31-36.

CHAP. VII. "scruple" was reported to him. Yet the pusillanimity of Brockholls and his council made a colonial revolution.

1681. Their inaction may have been caused by the recent opinion of Sir William Jones, and the consequent freedom of trade which was already prospering New Jersey at the expense of New York.*

Dyer, who, besides being collector, was a counselor and the mayor of the city, was immediately sued in the ordinary courts, where he was "cast," for detaining goods for customs, and forced to deliver them without payment.

31 May.
Dyer sued,
and charged
with
high trea-
son.

This was decisive. An accusation of high treason was quickly brought in the mayor's court by Samuel Winder, of Staten Island, against Dyer, for having levied the duties he had recently taken. Thereupon the aldermen and court "intimated" the case to the commander and his council, who committed Dyer for trial at the next general assizes.

29 June.

But, upon his request, a special court was summoned. It met accordingly; a grand jury was sworn; witnesses were examined; and an indictment for traitorously exercising "regal power and authority over the King's subjects," contrary to Magna Charta, the Petition of Right, and the Statutes of England, was found against the duke's collector.

30 June.

He was taken into custody at once by High Sheriff Younge, and Brockholls demanded from him the seal of the city and his commission as mayor. These Dyer refused to surrender, because he had received them from their common superior, Andros.

1 July.
Dyer tried,
and his
case refer-
red to the
king.

The next day Dyer was arraigned. Instead of demurring, he pleaded "*not guilty*" to his indictment. A jury was sworn, and twenty witnesses were examined for the prosecution. The defendant then required to know "the authority and commission by which the court sat; saying if they proceeded by His Majesty's Letters Patents to His Royal Highness, he had the same authority;—and one part could not try the other." After consultation, the unlearned court decided that, as Dyer had questioned their authority, he should be sent to England, "to be proceeded against as his Majesty and Council shall direct." Samuel Winder, his accuser, was also required to give five thousand pounds'

* Col. MSS., xxxv., 25, 27; Ord. Warr., etc., xxxij., 31, 42-46, 53; Col. Doc., iii., 296, 297, 292, 318; Doc. Hist., iii., 522, 524; Chalmers, i., 552; Wood's L. L., 99; Council Journals, Intro., viii.; *ante*, 341, 344.

security to prosecute Dyer in England. West, the clerk of the court, excused its irregular action because of the novelty of the charge of high treason, "and the present confusion and discord in the government here." Yet these proceedings against the duke's collector "had the greatest effect in laying in ruins that system of despotism which had so long afflicted the people." Trade was now substantially free; and the absence of both the governor and the secretary of the province gave an opportunity to utter freely the voice of the people of New York.*

This opportunity was helped by the recent visit of Penn's deputy, Markham, to the metropolis. It was soon noised that in the last English-American province established by its sovereign, no laws could be passed, nor revenue levied, without the assent of a majority of colonial freemen represented in a local assembly. The popular sentiment of New York, which, from the days of Kieft and Stuyvesant, had maintained the Dutch principle of "taxation only by consent," was emboldened. The metropolitan jury which indicted Dyer accordingly presented to the Court of Assizes the want of a Provincial Assembly as a "grievance." Upon this, John Younge, the High Sheriff of Long Island, was appointed to draft a petition to the Duke of York, and his work was adopted by the court. It represented that the inhabitants of New York had for many years "groaned under inexpressible burdens, by having an arbitrary and absolute power used and exercised" over them; whereby a revenue had been exacted against their wills, their trade burdened, and their liberty enthralled, contrary to the privileges of a royal subject; so that they had become "a reproach" to their neighbors in the king's other colonies, "who flourish under the fruition and protection of His Majesty's unparalleled form and method of government in his realm of England." The duke was therefore besought that his province might, for the future, be ruled by a Governor, Council, and Assembly—"which Assembly to be duly elected and chosen by the freeholders of this, Your Royal Highnesses' Colony; as is usual and practicable within the realm of England, and other of his Majesty's planta-

CHAP. VII.

1681.

21 June.
The Penn-
sylvania
charter
helps the
movement
in New
York.

29 June.
Present-
ment of the
grand jury.

Petition of
the Court
of Assizes
to the
duke.

* Colonial Doc., III., 287, 288, 289, 291, 318, 320, 334; Ord. Warr., etc., xxviii p. 48, 53, 54; Chalmers, Ann., I., 552, 583, 619, 627; Rev. Col., I., 144; Wood's L. I., 139; Whithead's East Jersey, 124; Contributions, etc., 81.

CHAP. VII. tions." This allusion to the king's "plantations," outside of his insular sovereignty, could hardly have meant his corporation of Massachusetts, where it was notorious that not "freeholders," but only puritanical church members (with rare exceptions) could vote for local magistrates. The examples of Pennsylvania, New Jersey, Maryland, and Virginia, in which no such sectarian exclusiveness existed, were probably in the minds of these early New York Democrats. The old Dutch province having never been governed by a royal English corporation, her people could not believe that a colonial minority should rule the roost.*

The New York idea of colonial government.

21 July. Brockholls's complaints to England.

The same ship which took Dyer to England conveyed this action of the New York Court of Assizes. In writing to Werden, Brockholls attributed to want of orders from the duke the disorder of his province. "Authority and magistracy is grown so low that it can scarce maintain the public peace and quiet of the government; scurrilous persons daily laying charges of Treason against the magistrates, thereby to destroy authority, and bring all into confusion." * * * "I shall never make a perfect good settlement, 'till orders from His Royal Highness for the more strengthening and continuance or alteration of the Government as established, which is much disliked by the People, who generally cry out for an Assembly, and to that end a Petition was ordered to be drawn up and sent to His Royal Highness, from and in the name of the Court of Assizes." In his letter to Andros, Brockholls reported that the customs were "wholly destroyed." No revenue was left but the rates on Long Island, which the people might not pay; and the insolence of those who accused the magistrates of violating the English Magna Charta caused disorders in New York.†

21 July.

2 May. Order from Andros.

10 August.

17 August.

3 Septem.

Meanwhile, Andros, on reaching London, had authorized Brockholls to act as receiver general of all the duke's provincial revenues. Brockholls, hoping to give effect to this direction, sent orders to Delavall at Esopus, and Livingston at Albany. But Sir Edmund's after-thought was too late.

* Ord., Warr., etc., xxxiiij, 49, 50, 54; S. Hazard's Ann. Penn., 490, 45, 504, 515; Wood's L. L., 35, 99, 100, 150, 178, 179; Thompson's L. J., i., 160; Smith's N. Y., i., 67; Chalmers's Ann., i., 583; Rev. Col., i., 145; *ant.* i., 437, 442, 473, 572; ii., 349. The Petition of the New York Court of Assizes, of June, 1681, is in Appendix, Note D., p. 658.

† Ord., Warr., etc., xxxiiij, 53, 54, 55; Council Journals, i., Introd., ix.

The whining commander-in-chief reported to Andros: CHAP. VII.
 "Nothing is paid in by any; and though since, I have
 done what was possible to get the excise kept up, my en-
 deavors therein have proved ineffectual—the merchants
 taking advantage of Courts, who, being scared, refuse to
 justify and maintain my orders. * * * Here it was never
 worse. A Government wholly overthrown, and in the
 greatest confusion and disorder possible. Orders from the
 Duke for general material things, in your absence, are ex-
 tremely wanting; nothing continuing as they were, nor can
 be again settled without it, which I hope shall not be long."
 To add to his other difficulties, Brockholls had been obliged
 to suspend Dervall from the council for misbehavior; and,
 in the absence of Nicolls and Dyer, his only advisers were
 the "small number" of Phillipse and Van Cortlandt.*

1681.
 17 Septem.
 Brockholls
 to Andros.

Long Island appeared to be the chief scene of disaffec-
 tion. Persons had already been arrested at Huntington
 and elsewhere. It was accordingly ordered in council that
 the magistrates on Long Island should prevent any disor-
 derly meetings, arrest such as might attend them, and keep
 the peace and quiet of the government as now established
 from any innovation or disturbance.†

27 Sept.
 Long Isl-
 and disaf-
 fected.

At the regular session of the Court of Assizes, an order
 was made "against persons exhibiting and preferring divers
 causeless and vexatious accusations and indictments into
 the Courts within this Government, against magistrates and
 others concerned in the public affairs of the Government,
 thereby causing great trouble and disturbance." At the
 same court it was directed that "rude and unlawful sports,
 to the dishonor of God, and profanation of his holy day,"
 which had become common among the negro and Indian
 slaves at their meetings on Sundays, should be prevented.‡

6 October.
 The Court
 of Assizes
 rebukes
 disaffec-
 tion.

In spite of the Court of Assizes, the eastern towns of Long
 Island would be, what Brockholls thought, "seditious." Josi-
 ah Hobart, of Easthampton, who was accused of stirring up
 the people of Southold to oppose his administration, was ar-

1 Novem.
 Sedition in
 New York.
 30 Decem.

* Ord., Warr., etc., xxxijg, 59, 60, 62, 63, 69, 70, 73, 74; Col. Doc., iii., 289, *note*. Andros seems to have determined not to return to New York, for his wife now sailed in the ship Beaver to join him in England: Ord., Warr., etc., xxxijg, 74, 93; Hought's Pemaquid Papers, 48; Whitmore's Andros, 21, 22.

† Ord., Warr., etc., xxxijg, 74, 75; Wool, 99; *ante*, 351.

‡ Colonial MSS., xxx., 36; Minutes of Common Council, i., 162-164; Dunlap, ii.; App., cxxix.; S. Hazard, 531; Newcastle Records.

CHAP. VII. rested and bound over to be tried at the next assizes. The

1681.
10 Novem.

feeling of discontent spread to Esopus, where Delavall was directed to prevent "all undue and unlawful meetings of the people without authority." Much of this sentiment of insubordination arose out of the duke's own action in recalling Andros, and in sending over Lewin as his agent. Lewin showed himself unequal to his duty, and by his stupidity must have disappointed his patron. The city authorities of New York took occasion, in his own presence, to protest against Lewin's unlawful proceedings, in taking private oaths and complaints, to the "scandal, blemish, and disparagement of several of his Majesty's servants." Well might Brockholls send his correspondence for the year with Andros at London by a devout prayer for "speedy orders and directions for better settlement."^{*}

15 Septem.
The metropolis rebukes Lewin.

14 Decem.

Andros annoyed in London.

Meanwhile Andros remained in London, without seeing the Duke of York, who was still in Scotland. Sir Edmund was annoyed by complaints of some he had offended in New York; and a verdict of forty-five pounds was recovered against him by Milborne, whom he had imprisoned in December, 1678.[†]

8 August.
The Duke's orders to Brockholls.

From Edinburgh, James, in answer to Brockholls's report of affairs in New York, reproved him for not renewing the customs' rates, which, with the advice of the council, he had the power to do, adding, "I wonder you should thus long have left so material a point undetermined; and I expect you should settle and continue by some temporary order, the same payments of customs and other public duties, as have been lately established and collected, until further orders from me, who at the present have several things in my thoughts which I hope may conduce much to the good and satisfaction of all the inhabitants and traders within that government." Brockholls was also authorized by the duke to continue all subordinate officers in their places.[‡]

27 August.

14 Septem.
Dyer set free.

Not long afterward, Dyer reached England, a prisoner, and, while the duke was absent in Scotland, his case was heard before the king in Privy Council. It was ordered

* Col. MSS., xxx., 47, 48, 49, 50; Ord., Warr., etc., xxxijg., 85, 86, 87, 88, 89, 90, 14, 15. Minutes of N. Y. Common Council, i., 155-158; S. Hazard's Ann. Penn., 481, 503, 531; Col. Doc., iii., 592-516.

† Col. Doc., iii., 286, 291, 300, 301, 621, 680, 727; K. B. Rep.; ante, 321, 341.

‡ Col. Doc., iii., 291, 292; Commissions, i., 27; Ord., Warr., xxxijg., ii.

that the defendant should go free upon his giving security to appear when summoned to answer the charge for which he had been prosecuted by Winder.*

At length Lewin returned to London, and submitted an unskillful report to the duke's commissioners. A copy of it was given to Andros, who answered its charges. Both parties were then heard by Churchill and Jeffreys, the duke's attorney and solicitor general. After examining Dyer, Nicolls, and others, they reported that Andros had not "misbehaved himself, or broken the trust reposed in him by his Royal Highness, in the administration of his Government, nor doth it appear that he hath any way defrauded or mismanaged his revenue." Dyer, they thought, "has done nothing amiss." Both he and the governor appeared to "have behaved themselves very well in their several stations."†

Andros being thus cleared of blame, and complimented on his administration, was made a gentleman of the king's Privy Chamber, which post, of course, required him to live in or near London.‡ Werden accordingly instructed Brockholls "to keep all things within that government of New York and its dependencies in quiet and good order," and hinted that the duke would "condescend to the desires of that colony in granting them equal privileges in choosing an Assembly et cetera, as the other English Plantations in America have. But if this be, it will be upon a supposition that the inhabitants will agree to raise money to discharge the public debts, and to settle such a fund for the future as may be sufficient for the maintenance of the garrison and government there." On this "great point" Brockholls was farther instructed "privately to sound the inclinations of the principal inhabitants there."§

After much hesitation, the king had meanwhile resolved to stand up boldly against those of his subjects who plotted to exclude the Duke of York from the throne. Charles therefore dissolved the Parliament which he had summoned at Oxford, and determined to govern without any.

* Col. Dec., iii., 318, 320; *ante*, 552.

† Col. Dec., iii., 302-316; Chalmers's Ann., i., 582; *ante*, 300.

‡ Col. Dec., ii., 741. In 1682 the island of Abbekey was granted, on a long lease, to Andros and his wife, and he spent much time there and in Guernsey, of which he was bailiff: Hutch. Coll., 542; Whitmore's Andros, 22; *ante*, 262.

§ Col. Dec., iii., 317; Chalmers's Ann., i., 583, 604.

CHAP. VII.

1681.

December.
Lewin's
report.
24 Decem.

1682.

January.

Report of
the duke's
commis-
sioners.

11 Feb'y.
Farther or-
ders to
Brockholls.

CHAP. VII. James now returned from Scotland, and the royal brothers met at Newmarket. While there, the duke considered the affairs of New York. He saw that no revenue could be collected in his province at present, unless he yielded to the wishes of its people for an Assembly; and James did not like popular gatherings. He had expressed his distrust of them to his provincial governor. But it was now a mere question of finance whether New York should be a drain on his purse, as it was, or whether he should sell it. Penn's closet-advice seems to have determined James to keep his province and give it some franchises.*

28 March.

The duke's orders to Brockholls about New York.

So the duke, at Newmarket, instructed Brockholls, his representative in New York, "In confirmation of what my Secretary lately wrote to you, I send this to tell you that I intend to establish such a form of Government at New York as shall have all the advantages and privileges to the inhabitants and traders there which His Majesty's other Plantations in America do enjoy; particularly in the choosing of an Assembly and in all other things, as near as may be agreeable to the laws of England. But I shall expect that the country of New York and its dependencies shall provide some certain funds for the necessary support of the government and garrison, and for discharging the arrears which are or shall be incurred, since the obstructions that have lately been to the collection of the public revenue there. Wherefore you are to use all diligence to induce the people there of best note and estate to dispose themselves and their friends to a cheerful compliance in this point; and you may assure them that whatsoever shall be thus raised shall be applied to those public uses. For I seek the common good and protection of that country, and the increase of their trade, before any advantages to myself in this matter."†

But it was several months before James could execute

* Clarke's James II., i., 672-730; Dalrymple, i., 17, 106; Col. Doc., iii., 239, 235, 280, 355; ix., 165; Chalmers's Ann., i., 581, 583, 600; Rev. Col., i., 145, 152, 173; Mem. H. S. Penn., i., 444; Bancroft, ii., 413, 414; *ante*, 272. I can not see the propriety of the reference, in *Introduct.* to *Leg. Journals of Council of N.Y.*, xvi., to Pepys's Diary of January, 1668, as a reason for the Duke of York's action in 1682. If Anne Hyde, the first Duchess of York, saved £5000 a year, and laid it out in jewels, in 1668, it does not appear that the second duchess, Mary of Modena (*ante*, 248), did so in 1682, when the duke resolved to give an Assembly to New York. It is more likely that the Duchess of Portmouth's importunity to Charles had something to do with the matter. The revenue of New York was £2000 in 1682, and did not reach £5000 a year until 1687; Dunlap, ii., App. xlviii.

† Col. Doc., iii., 317, 318; Chalmers's Ann., i., 605.

the purpose he so clearly announced. He went back to Scotland, and then returned to London. In that interval, William Penn, under the pressure of "friends," and with the aid of Algernon Sidney, drew up and published a frame of government and laws for Pennsylvania, the large benevolence of which—surpassing the liberality of Maryland—furnished a model worthy to be carefully studied by the proprietor of New York.*

After waiting in vain several months for his prosecutor to appear, Dyer petitioned the king to be acquitted and allowed to proceed against Winder. It was accordingly ordered in council that he be discharged from his bond, which was delivered to him, so that he might take his remedy at law. In recompense for his losses, Dyer was soon afterward appointed surveyor general of his majesty's customs in the American Plantations.†

In the mean time, Randolph, returning in disgust from his second visit to Boston, had urged legal proceedings to vacate the charter of Massachusetts. Lord Culpepper, of Virginia, also advised that the king should send a governor general to New England, without which his colonies "could not be brought to a perfect settlement." Charles, now almost absolute, determined to act with effect against his father's corporation of Massachusetts Bay. He had already granted a patent to Secretary Blathwayt to be surveyor and auditor general of all his revenues in America, with power to appoint such inferior officers as the lords of the treasury should direct. Blathwayt accordingly appointed Randolph to be his deputy in all the New England colonies except New Hampshire. With this power Randolph went back to Boston, bearing a letter from the king requiring his corporation of Massachusetts forthwith to send over agents to excuse its irregularities, in default of which a writ of *quo warranto* would be prosecuted, and the charter granted by his father be "legally evicted and made void." To this

* Colonial Rec. Penn., i., 29-42; Colden, ii., 182-206; Proud, i., 196-200; ii., App., 5-20; Chalmers, i., 642, 660; Dixon, 184-186; Grahame, i., 314, 506-509; Bancroft, ii., 306, 367; Kent's Commentaries, ii., 35, 36.

† Col. Doc., iii., 318-321; Chalmers, i., 583; Mass. Rec., v., 450, 530. After a cool reception in Massachusetts, in October, 1684, Dyer went to Pennsylvania, and thence to Jamaica: Penn. Coll. Rec., i., 148, 197, 198, 209-211; Val. Man., 1853, 388; 1864, 580. In June, 1685, Brockholls ordered the justices at Gravesend not to let Winder plead before them, because of his malicious behavior to Dyer: Entries, xxxiii., 65, 66; ante, 352, 353.

CHAP. VII.

1682.

25 April.

5 May.

Penn's

frame of

govern-

ment.

29 June.

30 Septem.

Dyer dis-

charged.

1683.

4 January.

16 April.

Randolph

and Cul-

pepper

against

Massachu-

setts.

1680.

19 May.

1681.

15 October.

Randolph

deputy to

Blathwayt.

21 October.

The king's

letter to

Massachu-

setts.

CHAP. VII. peremptory command the Puritan colony was obliged to succumb. She could no longer pretend to be independent,

1681. while she set up her royal patent. Her only alternative was open, manly rebellion. But this would have been by

1682. no means profitable; and so, with a very bad grace, her corporate authorities deputed Joseph Dudley and John Richards to represent them in England. "Necessity, and not duty," obliged this action. And now Massachusetts

23 March.
Dudley and
Richards
agents.

31 May. adopted the maxim attributed to the Jesuits, "the end justifies the means." She accordingly provided her agents with a "credit for large sums of money to purchase, if they can, what their promises cannot obtain." This "singular

Bribery by
Massachu-
setts.

method" of Puritanism, in offering a bribe for the king's "private service," was approved, if not advised, by Edward Cranfield, the royal governor of New Hampshire, who had just come from England.*

The domestic affairs of New York continued to be disturbed, in spite of Brockholls's efforts, and his announcement of the duke's orders to continue all magistrates in their places until farther directions. Esopus and Albany were troublesome, but Long Island was the chief scene of

9 March.
Troubles in
New York.

17 Feb'y.
22 Feb'y.

opposition; and Richard Cromwell and Thomas Hicks, two of the justices of the North Riding, were ordered to be arrested for disaffection to the government. William Nicolls

2 October.

and John Tudor were afterward directed to appear at the next Court of Assizes, and prosecute for the king all indictments found.†

11 May.

Connecticut now took the opportunity to revive her boundary question. Counselor Frederick Phillipse, having bought of the Indians a tract of land on the Pocantico Creek, or Mill River, just above the present village of Tarrytown, "whereon to set a mill," had obtained a patent for it from Andros; and began to improve his property. Hear-

Connecti-
cut bound-
ary.

ing of this, the Connecticut authorities wrote to Brockholls, claiming that, according to the boundary agreement of 1664.

* Chalmers's Annals, i. 410-413, 442-450; Hutch. Mass., i. 330-337; Coll., 536-540; Mass. Rec., v. 333, 334, 346-349, 521-529; Mass. H. S. Coll., xxxv. 52, 53; Col. Rec. Conn., iii., 303, 307; N. Y. Col. MSS., xxix., 57; Duncroft, ii., 123; Barry, i., 465-474; Palfrey, iii., 288, 342-369, 407, 410, 411, 424; ante, 3:6, 337.

† Ord. Warr., etc., xxxijg, 109, 108, 109, 111; Entries, xxxiii., 10, 11, 17; Col. MSS., xxx., 64, 65. Mr. H. P. Hodgins, in his anniversary oration at Easthampton in 1850, says that an address to Brockholls was adopted in June, 1682, at the general training of the militia. But I think this address must have been drawn up in 1683, and was intended for Denean, as it is word for word the same as that of 10 September, 1682, in Thomp. L. I., i., 315; ii., 288.

that colony, and not New York, owned the territory from CHAP. VII.
 Mamaroneck north-northwestward, touching the Hudson 1682.
 River southward of Phillipse's mills, and extending north-
 ward to the Massachusetts line; and they had the audacity
 to desire, in very careful words, that the duke's officers
 would countenance their attempted swindle. Brockholls
 knew that Connecticut was never to approach within twenty
 miles of the Hudson River. He therefore reproved her
 for so knavishly returning the "kind treatment" she had
 received from New York, and referred the question to the
 Duke of York, who soon caused it to be fairly settled.* 29 May.
Referred to the duke.

Another intercolonial incident happened this summer.
 John Williams, having captured a ketch from the Spaniards
 at Cuba, named her the "Ruth," turned pirate, robbed at June.
 Accomac in Virginia, and attempted to seize Lord Balti-
 more in Maryland, to get from him a large ransom. With New York and Mary-
 another sloop, Williams then went to the east of Long Isl- land.
 and, and captured several vessels, one of which belonged to
 Justice Arnold, of Southold. Brockholls at once directed 23 July.
 all pirates to be brought to New York. The sloop Planter's
 Adventure, Captain Tristram Stevens, was also sent to cruise 7 August.
 against the pirates. Several were secured by the authori- 14 August.
 ties of Rhode Island and Connecticut; and Brockholls,
 having arrested two, dispatched them to Sir Henry Chiche- Pirates sent back.
 ley, the deputy governor of Virginia, to be dealt with there 1, 8, 28, and 30 Septem.
 according to law.†

The ecclesiastical affairs of New York also required atten- Church af-
 tion. Eliphalet Jones, the minister at Huntington, on Long airs in
 Island, was dealt with for denying baptism to the children New York.
 of those whom he charged with "loose lives." At Staten
 Island and Albany there was trouble about their clergymen.
 In the metropolis, Domine Van Nieuwenhuysen, the patri-
 arch, went to his rest; and the Consistory of the Dutch
 Church called, as his successor, Domine Henricus Selyns,
 who, having refused their invitation in 1670, now returned
 to America, and began a new and laborious service.‡

* Ord. Warr., etc. xxxliij, 121, 122, 123, 124; Colonial MSS., xxx., 87; lxi., 7; Col. Rec. Conn., iii., 100, 213, 314; Report of Boundary Commissioners, 1857, 42, 43, 105, 106; Bolton's Westchester, i., 175, 176, 216-219; Col. Doc., iii., 233; *ante*, 53-55.

† Ord. Warr., etc. xxxliij, 138-147, 156, 157; Entries, xxxiii., 2, 3, 8, 9; Col. MSS., xxx., 111, 117, 118, 119; Col. Rec. Conn., iii., 314-320; R. I. Rec., iii., 119, 120; Arnold, i., 490.

‡ Col. Doc., iii., 646; Doc. Hist., ii., 247; iii., 210, 244, 333-335; Thompson, i., 481; Col. MSS., xxx., 97; Murph. Anthol.; Dank. and Shuyt. Jour.; Corr. Cl. Amst.; *ante*, 175, 331.

- CHAP. VII. Meanwhile the Jesuit missions among the Iroquois had been declining. In 1680 James de Lamberville left Cagh-
 1682. nawaga, and joined his brother John, the superior, at Onondaga; while Vaillant remained a year longer alone at Tien-
 The Jesuits among the Iroquois. nontoguen, and then gave up the Mohawk mission. Millet staid among the Oneidas, and Carheil among the Cayugas. Raffeix having left the Senecas, Garnier remained alone among them, but with less influence—probably caused by the visit of La Salle, and, perhaps, by the presence of Father Melithon Watteau in Fort Conty, at Niagara.*
1679. After leaving the Upper Niagara, La Salle had sailed in
 7 August. the Griffin through Lake Erie, traversed the other lakes
 La Salle in the West. beyond, and anchored safely in Green Bay. The bark was
 13 Septem. quickly freighted with furs, and sent back to Niagara, with orders to return to the head of Lake Michigan; and La Salle, with his exploring party, coasted southward in canoes. But the Griffin was never heard of again, and the first decked vessel built in Western New York is supposed to have foundered between Green Bay and Mackinac. Disheartened by his reverses, La Salle built a fort on the Illinois River, below Lake Peoria, which he appropriately named "Crève-cœur." Hennepin was now dispatched, with two Frenchmen, in a canoe, down the Illinois, to explore the Upper Mississippi. The father accordingly visited the great falls of the latter river, which he named after his patron, Saint Anthony of Padua. Afterward he met some Canadian fur-traders, under Daniel du Luth, with whom he came back to Michilimackinack. After remaining there until Easter, he returned to Niagara, whence he revisited the great Seneca village of Todehacto, or Conception, where, on Whitsunday, he conferred with Tegancourt, the chief of the tribe. At Montreal Hennepin was cordially received by Frontenac, to whom he gave "an exact account" of his adventures; and he soon afterward sailed from Quebec to France, without having met La Salle since their parting at Fort Crève-cœur, in February, 1680.†
1680. January.
- 29 Feb'y. Hennepin's rascality.
1681. 6 April.
- 26 May.
- November.

* Col. Doc., iii., 518; ix., 171, 199, 163, 162, 823; Shea's *Missions*, 274, 286, 289, 293, 294, 313, 374, 410; *Disc. Miss.*, 91; Sparks's *La Salle*, 26; *ante*, 326, 327.

† Hennepin's *Louisiana*, 59-187, 188-212; *New Discovery*, 77-141, 145-299; *La Petherie*, ii., 137-149; *Hist. Col. Lou.*, i., 54, 56, 200-214; *N. Y. H. S. Coll.*, ii., 245, 246; *Col. Doc.*, iii., 254; ix., 131, 132, 135, 141, 158, 324, 796; *Col. MSS.*, xxxv., 160; Shea's *Discovery*, 91-147, 161; Sparks's *La Salle*, 26-53, 78-93; Charlevoix, ii., 267, 271; Garneau, i., 229-241; *ante*, 321, 324. It need hardly be repeated to scholars that Hennepin's afterthought, in his "*New*"

After dispatching Hennepin up the Mississippi, La Salle CHAP. VII.
left Tonty in command of Crèvecoeur, and returned on foot 1680.
to Fort Frontenac, after directing a new fort, which he 2 March.
named "Saint Louis," to be built near the present town of La Salle's adven-
tures.
Peoria, in Illinois. Before this fort was completed, six
hundred Iroquois and Miamis, commanded by the Seneca
chief Tegancourt, attacked the weaker prairie warriors of 10 Septem.
the Illinois, of whom twelve hundred were slain or taken
captive. La Salle, on reaching Cataracouy, had meanwhile
found himself overwhelmed with misfortunes—"in a word,
that except the Count de Frontenac, all Canada seemed in
league against his undertaking." Duchesneau, the intend-
ant, wrote to Paris that, under pretext of discoveries, the 13 Novem.
intrepid explorer of France in the New World was trading
with the Ottawas, in violation of his patent from the king.
After sending to Frontenac a memoir of his doings, in
which he recommended the Ohio as a "shorter and better" 9 Novem.
route to the great West, La Salle went back to the Illinois December.
country, where he found his fort, Saint Louis, deserted. 1681.
Thence he returned to Michilimackinack, where he met his June.
lieutenant, Tonty, and then went down to Montreal to re-
cruit his own forces. Embarking at the head of the Ni-
agara, the undismayed adventurer returned to the Miami. 23 August.
Duchesneau, the intendant of Canada, had always been La
Salle's backbiter. This was the inevitable antagonism of
genius and inferiority. But the noble-minded Frontenac
prophesied to his king that, despite of the obstacles and
misfortunes he had encountered, La Salle would still "ac-
complish his discovery; and that, if he were a living man,
he would proceed, next spring, to the South Sea."* 2 Novem.
Frontenac
and Du-
chesneau
differ.

Frontenac's prediction that La Salle would succeed was
fulfilled. Early the next year the follower of Jolliet and 1682.
Marquette floated down the Illinois River, and traced the
stream of the Mississippi until at last its yellow waters be-
came salt, and the sea was discovered in the Gulf of Mex-
ico. The American problem of the century was solved.
Frenchmen had reached the outlet which Spaniards had

Discovery," of his having descended the Mississippi to the Gulf, is an audacious falsehood:
see Bancroft, iii., 167, 202; Sparks's La Salle, 82-91, 186-193; Shea's Discovery, 103-106.

* Colonial Doc., ix., 147, 148, 158, 163, 164; Quebec MSS., ii., iv., 9, 51, 72; Charlevoix, ii.,
272, 273, 275, 276; N. Y. H. S. Coll., ii., 246-263; Hist. Coll. Lond., i., 55-59; Hennepin's Dis-
covery, 307-311; Sparks's La Salle, 50-78, 93, 94; Shea's Discovery, 147-165; Jesuit Mis-
sions, 411, 412; Garneau, i., 242, 243; Hist. Mag., v., 106-109.

1682.
6 Feb'y.
7 April.
La Salle ex-
plores the
Mississippi.

CHAP. VII. explored one hundred and thirty-nine years before. With grateful hearts La Salle and his comrades chanted the
 1682. sublime hymns, "*Vexilla regis prodeunt*," and "*Tibi Domine Laudamus*." A cross, bearing the arms of France, was set
 9 April. up on the "delta" of the Mississippi; and La Salle took formal possession of all the vast region he had been the first European wholly to traverse, which, in honor of his sovereign, he named "Louisiana." On his return to Illinois, he sent to France the details of his triumphant discovery.*

In the mean time, the administration of Canada had been changed. The governor and the intendant had quarreled.
 13 Novem. Duchesneau recommended the purchase of New York, whereby the French would obtain "the most fertile and the finest country in North America." Frontenac asked for more soldiers, to occupy forts on Lakes Ontario and Erie, and prevent the savages from carrying their beaver to New York.
 2 Novem. To cut the knot, Louis recalled both Duchesneau and Frontenac, notwithstanding the latter was supported by the influence of his relative, Madame de Maintenon. War with the Iroquois appeared to be at hand. Irritated because La Salle and his men were cultivating friendship with the Illinois, who were their enemies, the Senecas and Onondagas robbed the French trading bark at Niagara, and cut her cable. This was done because Andros had ordered "not to suffer any French to trade there." The Iroquois were accordingly invited to send deputies to Montreal the next summer. But they insisted that Frontenac should visit them at Oswego, or at "La Eamine," or the Salmon River, neither of which places suited the Onnontio of Canada.
 23 March. The next autumn, Teganissoren, or Dekanesora, an eloquent Onondaga chief, visited Frontenac, at the suggestion of Lamberville, and told him that the English had sent agents on horseback to invite the Iroquois to come to Albany, but that they had declined to go, and now asked Onnontio to visit them at Oswego. The speech was interpreted by the experienced Charles le Moyne, whom the Iroquois had named "Acossen," or "Oquesse," meaning, in English, "the partridge." Frontenac explained to Dekanesora why he could not go to Oswego, and promised to meet

Frontenac and Duchesneau recalled from Canada.

11 Septem. Teganissoren, or Dekanesora.

12 Septem. Le Moyne, or "Oquesse."

* Col. Dec. ix., 108, 212, 214; Sheu's Discoveries, xii., xv., 148, 163-184; N.Y. H. S. C. R., ii., 263-285; Hist. Coll. Lou., i., 45-50, 53-65; Sparks's La Salle, 55-108, 194-202; La Potherie, ii., 142-145; Charlevoix, ii., 276, 277, 286; Garneau, i., 243, 244; Bancroft, i., 51-59; iii., 163.



the Iroquois at Cataracouy the next spring, "at the first flowing of the sap."^{*} CHAP. VII.

This was not so to be. Louis had already commissioned Le Febvre de la Barre to be his governor, and the Sieur de Meulles his intendant of Canada. The former had distinguished himself, in 1667, by his naval exploits against the English in the West Indies. Yet he had neither Frontenac's skill to elude obstacles, nor his ability to overcome them. De la Barre was authorized to attack the Senecas and Onondagas if he felt sure to succeed. But Louis directed his Canadian governor to "merely permit Sieur de la Salle to complete the discovery he has commenced, as far as the mouth of the said Mississippi River, in case he consider, after having examined it with the Intendant, that such discovery can be of any utility."[†]

1682.

10 May.
Le Febvre
de la Barre,
Governor
of Canada.

On reaching Quebec, De la Barre summoned an assembly of the chief officers of Canada, the Jesuit missionaries, and others, at which it was agreed that, to check English and maintain French influence among the Western savages, the Iroquois should be attacked by the Canadians; but regular French soldiers must be sent over to garrison Forts Frontenac and La Galette. In his reports to France, De la Barre pressed for supplies, and declared that La Salle's imprudence had provoked the hostility of the New York Indians, and that his discoveries in the West should not be considered "as very important."[‡] 16 October.
Assembly
at Quebec.

12 November.

Meanwhile the Iroquois had troubled the Southern English colonies. The Senecas remained faithful to their treaty of 1677; but the other confederates let their young men make incursions into the Piscataway country, at the head of the Chesapeake, where they robbed and killed some English subjects. Lord Baltimore accordingly sent Colonels Henry Coursey and Philemon Lloyd to confer with the New York savages. Brockholls directed the officers at Albany to aid the Maryland agents, but to allow no talk with the Iroquois, unless in their presence. Inter-

15 May.
Maryland
and New
York.

* Colonial Doc., iii., 442; iv., 122; ix., 159-166, 168-193, 196, 198; Quebec MSS. (il.), iv., 51-136; La Montan, i., 46; Golden, i., 65; Hennepin's New Discovery, 27, 28; Donniel, ii., 352-363; Charley, ii., 278-285; Garneau, i., 214-221; Shaw's Disc. Miss., 79, 80; *ante*, 325.

† Col. Doc., ix., 167, 168, 197; Doc. Hist., i., 66; Charlevoix, ii., 278; Garneau, i., 247, 248; Entick's British Marine, 489; *ante*, 126.

‡ Col. Doc., ix., 194-196, 198; Doc. Hist., i., 65-67; Quebec MSS. (il.), iv., 157, 149; Charlevoix, ii., 255-259; Shaw's Disc., 148; Garneau, i., 248, 249; Sparks's La Salle, 108.

CHAP. VII. views were accordingly held, and Brockholls congratulated Lord Baltimore at the happy result of the negotiation. Not long afterward the commander visited Albany, where another Roman Catholic, Lieutenant Jervis Baxter, had been commissioned by the Duke of York to do duty in place of Salisbury, "for his eminent services." Fourteen captives taken by the Iroquois were released and quickly sent home to Maryland, with a friendly letter from Brockholls to Baltimore.*

New York
and the
Delaware
territory.

The relation between New York and her territory on the Delaware meanwhile ended; and another North American state was founded in England. During the negotiations between New Netherland and Maryland in 1659, the Dutch insisted that, as Lord Baltimore's patent covered only savage or uninhabited territory, it could not affect their own possession of the Delaware region. Accordingly, they held it against Maryland until it was taken from them by the Duke of York in 1664. But James's title by conquest had never been confirmed to him by a grant from the king; and Cecilus Calvert, the second Lord Baltimore, insisted that Delaware belonged to Maryland. To quiet controversy, the duke had offered to buy off Baltimore's claim, to which he would not agree. Penn afterward refused a large offer by Fenwick "to get of the duke his interest in Newcastle and those parts" for West Jersey.†

Thus stood the matter when the Pennsylvania charter was sealed. Its proprietor soon found that his province, wholly inland, wanted a front on the sea. As Delaware was "necessary" to Pennsylvania, Penn "endeavored to get it" from the duke, by maintaining that Baltimore's pretension "was against law, civil and common." Charles Calvert, the third Lord Baltimore, was "very free" in talking against the Duke of York's rights; but he could not circumvent Penn. The astute Quaker readily got from James a quit-claim of all his interest in the territory included within the proper bounds of Pennsylvania. After a struggle, Penn also gained the more important conveyances to him-

* Ord., Warr., etc., xxxiiij, 99, 112-115, 127-137, 150, 151; Entries, xxxiii., 5, 15, 18, 19, 47; Colonial MSS., xxx., 72, 191, 192; Col. Doc., iii., 323-328, 351, 423, 455, 593, 619, 11-4; Dec. Hist., iii., 138; *ante*, 310, 327. Golden does not mention this embassy from Maryland.

† Col. Doc., ii., 74, 80-87; iii., 183; Mass. H. S. Coll., xxxvii., 319; Penn. Archives, i., 70; *ante*, i., 662-669; ii., 51, 55, 150.

self of the duke's interest in all the region within a circle of twelve miles diameter around Newcastle, and extending southward as far as Cape Henlopen.*

The triumphant Penn set sail the next week. At Newcastle he received from James's agents formal possession of the surrounding territory, and of the region farther south. In honor of the duke, Penn directed Cape Henlopen to be called Cape "James;" but posterity refused to confirm the courtly Quaker's decree, and HENLOPEN and MAY still retain the names which their Dutch discoverers first gave to the Capes of the Delaware.†

Penn now hastened to "pay his duty" to the duke at the seat of his provincial government. At New York he was hospitably received by Brockholls, who, after inspecting his deeds from James, required the officers on the Delaware to submit to their new Quaker chief. But in his report to Werden, the duke's representative feared that what was left of his province would not defray the charge of its government.‡

After visiting his friends on Long Island, Penn came back to Upland, or Chester, where he held his first Assembly, and organized his provincial government. He then visited Lord Baltimore, to confer about their respective boundaries. On his return from Maryland, Penn went to Coaquannoek, near Weccacoe, a neck of land where the Schuylkill flows into the Delaware, which had been occupied by the Dutch in 1646. It was now possessed by Swedes, who had built a church. From them Penn acquired the ground, and then planned a city, which he named "Philadelphia." This was just fifty-six years after Minuit had bought for the Dutch the island of Manhattan from its aboriginal owners.§

* Hazard's Reg. Penn., i., 375, 376, 429, 430; ii., 502; Annals, 556-593; Entries, xxxiii., 33; Col. Doc., iii., 290; Penn. Arch., i., 52, 53, 70; Mem. Penn. H. S., i., 444; Chalmers, i., 643; Proud, i., 200-203; *ante*, 348, 358. On the 2d of March, 1682, the duke obtained from the king a patent in fee for the Delaware territory, which he delivered to Penn in pursuance of his conveyance of the 24th August, 1682: Hazard's Reg. Penn., ii., 202; Ann. Penn., 588; Proud, i., 282.

† Proud, i., 204-203; Chalmers, i., 662; Dixon, 195-203; S. Hazard, Ann. Penn., 5, 573, 596, 597, 602, 603, 605, 612; Reg. Penn., i., 490; *ante*, vol. i., 79, 97.

‡ Proud, i., 208, 209, 268; Chalmers, i., 662; Hazard's Annals, 655, 606, 607, 635, 636; Reg. Penn., iii., 34; Entries, xxxiii., 20, 21, 33.

§ Proud, i., 206-209, 211, 233, 234, 268, 289; Hazard's Annals, 89, 417, 468, 447, 463, 467, 504, 607-634; Reg. Penn., i., 450, 456; Watson's Annals, 121, 133; Dixon, 204, 205; Upland Records, 67, 124, 153; G. Smith's Delaware County, 102, 115, 120-142; *ante*, vol. i., 164, 426, 427; ii., 501, 349.

CHAP. VII.

1682.

24 August.
Penn gains
the Dela-
ware terri-
tory.1 Septem.
28 October.
7 Novem.Cape May
and Cap-
Henlopen.Penn in
New York.

21 Novem.

18 Decem.

7 Decem.

11 Decem.

Philadel-
phia found-
ed.

CHAP. VII. An event now took place of which no original record appears to have been preserved. Under a spreading elm-tree on the bank of the Delaware, at Shackamaxon, now known as Kensington, just north of the city of Philadelphia, William Penn made his first personal covenant with the native owners of his province. Declining to call the red men his "children," as did Ommontio of Canada, or "brethren," as did Corlaer of New York—even rejecting their own metaphor of a chain, which he suggested might rust—the adroit Quaker announced that Christians and Indians in his province "should be as one people." The sentiment touched the children of the forests, who vowed that they would live in friendship with "Onas"—which in their language signified "*a pen*"—as long as "the sun, moon, and stars endure."^{*}

Penn's
treaty at
Shackamaxon.

In the mean time the grantees under the will of Sir George Carteret had conveyed East Jersey to William Penn, Thomas Rudyard, and ten other Quakers. These twelve proprietors each sold half of his interest to a new associate, among whom were James Drummond, earl of Perth, the lord justice general of Scotland, John Drummond, his brother, afterward Earl of Melford, and Robert Barclay, of Ury, the famous author of the "Apology." Sir George Mackenzie, afterward Viscount Tarbet, the witty register and advocate of Scotland, was soon added as an associate.[†] The twenty-four proprietors made Barclay the governor of their province, with leave to execute his office by deputy. Barclay therefore appointed Rudyard, who had been Penn's counsel in 1670, his representative; and Samuel Groom, another of the twelve first grantees, was made receiver and surveyor of East Jersey. The new officials hastened to Elizabethtown, where Philip Carteret at once resigned his authority to Rudyard.[‡] Among the counsel-

2 Feb'y.
East Jersey
affairs.

16 Septem.

13 Novem.
Rudyard
succeeds
Carteret.

* Hazard's Annals, 624, 635; Proud, I., 212-215; Watson, 125-131; Dixon, 210-216; Col. Rec. Penn., iii., 310-312; Bancroft, ii., 381-383; Chalmers, I., 614; *ante*, 282. I have a box made out of a piece of Penn's "treaty-tree," which was blown down on the 5d of March, 1810. There is a fine engraving of this elm in the frontispiece to Pinkerton's Voyages, vol. xv.

† Leaming and Spier, 73, 145, 146; Col. Dec., iii., 329; Gordon, 50; Beutson, ii., 72, 87; Hatfield, 210, 211; *ante*, 342.

‡ Philip Carteret, who had married Elizabeth Lawrence, of New York (*ante*, 249, 251), died not long afterward, having made his will on 10th December, 1682, in which he directed that his body to be buried in the city of New York: Whithead's East Jersey, 55; Hatfield, 212, 213. 8 August, 1682, Carteret petitioned Brookholls for an order to enjoy the meadow-lands of Staten Island which had been allowed to him by Nicolls in 1665 (*ante*, 150), and his request was granted: Col. MSS., xxx., 112; xxxi., 164; Hist. Mag., x., 297-299; N. J. H. S. P., i. (ii.), 31-36.

ers appointed by Rudyard were Lewis Morris, John Berry, and John Palmer. An Assembly was summoned to meet at Elizabethtown, at which East Jersey was divided into four counties. One of them, Bergen County, was carefully described as containing "all the settlements between Hudson's River and Hackinsack River, *beginning at Constable's Hook*, and so to extend to the uppermost bound of the Province Northward, between the said Rivers." By this act the East Jersey Legislature honestly admitted that Staten Island belonged, as it really did, to New York.* Rudyard was soon afterward visited by William Penn, who admired the land around Elizabethtown, "and said he had never seen such before in his life." But Amboy, at the mouth of the Raritan River, was meant to be the future great city of East Jersey. Delicious oysters abounded there, although clams were then esteemed "much better."

Amboy was described as "extraordinary well situate for a great town." The oysters of the "Chingerora" Creek were, and are, supremely good, and the channel was "broad and bold" from Sandy Hook to Amboy Point, where three houses had already been set up. But workmen were scarce; and Groom prophetically remarked that, "if no help comes, it will be long ere Amboy be built as London is."†

In spite of the efforts of Canada, the fur trade was attracted from Montreal to Albany. De la Barre attempted harsh measures, but only drove away his own colonists, of whom more than sixty went to live in New York. He therefore sent the Sieur de Salvaye to the governor of New York, asking him to prevent such desertions. In reply, Brockholls assured De la Barre that Andros had already done all he could to check runaways without passports to or from Canada; and that other measures must be left to his successor, Dongan, whose arrival was daily expected.‡

* Leaming and Spicer, 229; Whitehead's E. J., 95, 97, 98; Yonkers Gazette of 25 November, 1865, and 26 January, 1866; *ante*, 119.

† Leaming and Spicer, 73, 141, 227-252; Entries, xxxiii, 48; S. Smith, 156, 165, 167-175, 533-546; Whitehead's East Jersey, 80, 83, 85, 89, 91, 95-98, 166-203, 211, 278-283; Contributions, 2-6; Sewell, 504; Scott's Model; Dankers and Sluyter.

‡ Charlevoix, ii., 315; Entries, xxxiii, 59, 60, 68; Col. Doc., iii., 453, 471; ix., 199, 210, 205, 207, 212, 215, 221, 326.

CHAPTER VIII.

1683-1685.

CH. VIII.

1682.

Colonel
Thomas
Dongan,
governor of
New York.

DETERMINED to give his American province the franchises its people desired, the Duke of York sought an able colonial governor to take the place of Andros, who was now basking in London and in the Channel Islands. The man chosen by James was Colonel Thomas Dongan, born in 1634, a younger son of an Irish baronet, Sir John Dongan, and a nephew of Richard Talbot, afterward created Earl and Duke of Tyrconnel, in Ireland. William, the oldest son of Sir John, had been made, by Charles, Baron Dongan and Viscount Claine, in the Irish peerage. Thomas Dongan of course gained advancement by his brother's and his uncle's influence at the English court. Dongan was quickly promoted to be a colonel in the royal army, and, having been assigned to serve with his Irish regiment under Louis, was stationed for some time at Nancy. In 1678 he was ordered home from France, to his pecuniary loss; but was rewarded by Charles with a pension and the appointment of lieutenant governor of Tangier, in Africa, under Lord Inchiquin, whence he was recalled in 1680. Dongan was a Roman Catholic; enterprising and active; coveting money, yet "a man of integrity, moderation, and genteel manners." His experience in France was an important recommendation, because of the delicate relations between New York and Canada, and the necessity of managing them skillfully on the English side.*

* Col. Doc., ii., 741; iii., 423, 460, 462, 463; ix., 293, 298, 323; Hutch. Coll., 542; Smith, i., 66; Narcissus Luttrell, i., 36, 52; ii., 198; iv., 435, 625; Evelyn, ii., 151; Deacon, ii., 113, 188; Macaulay, ii., 48-50; Kennett, iii., 387, 391; Liber Hibernie, i., 10, 25; Lecky, i., 43; v., 42, 52; Memoirs of Lady Fanshawe, 177, 178, 182; N. Y. Conn. Jour., i., Int. p. xxxiii.; ante, 357. In December, 1685, Lord Dongan was made Earl of Limerick: *ibid.* p. 1690 he commanded a regiment of dragoons under James at the battle of the Boyne, in which he was outwitted by the government of William and Mary. Lord Limerick died at Saint Germain in 1698, and was succeeded in his titles by his brother Thomas: Conn. Jour., xii., 278.

Dongan was accordingly appointed governor of New York. With one exception, his commission was like that which James gave to Andros in 1674. The only difference was that East and West New Jersey, just released to others, were excepted from Dongan's jurisdiction. But the west side of the Connecticut River was still declared to be the eastern boundary of New York, and Pemaquid, Martha's Vineyard, and Nantucket were retained as its dependencies. The Delaware territory had been relinquished to William Penn. A separate commission as vice admiral, like that to Andros, was also given to Dongan by the Duke of York as lord high admiral. After some delay, Brocksolls was notified that the new governor would soon be at his post, and, in the mean time, he would signify the duke's pleasure, in pursuance of his instructions.*

Ch. VIII.

1682.

30 Septem.
Dongan's commis-
sion.

30 October.

1683.

4 Jan'y.

1682.

21 Decem.
Dongan's
instruc-
tions delay-
ed.

1683.

4 Jan'y.

14 March.

23 Novem.

The preparation of Dongan's instructions was retarded by the proprietors of East Jersey, on whose behalf Sir George Mackenzie, the lord register of Scotland, desired to have their government "rather holden by charter from His Royal Highness, than, as it is at present, by transmission from our authors, without any augmentation of our privileges, but, only to be under the Duke's immediate protection." This request was so vague that Werden had to inquire whether the proprietors of New Jersey desired "to join it to New York, as heretofore," and share in its advantages, or whether, in asking the duke's "protection," they wanted only a direct grant to them from himself. The latter being avowed as their real object, James readily executed an instrument by which, disregarding his release of October, 1680, to the young Sir George Carteret, he confirmed East New Jersey to the Earl of Perth and his associates, together with all the powers granted in the royal patents to himself. The king also commanded all persons "concerned in the said Province of East New Jersey" to yield obedience to its proprietors.†

This Jersey episode having been arranged, Dongan's instructions were completed. They were carefully framed, apparently by James himself, as a full answer to the peti-

* Col. Dec., III., 215, 323, 329, 330; Commissions, etc., i., 53, 61; *ante*, 262, 337.

† Col. Dec., III., 329, 330; Leaming and Spicer, 141-152, 604; Beatson, II., 72; Clarke's James II., i., 131; Grahame, I., 481; Gordon, 50, 51; Whitehead, 88, 105, 106; Eastern Boundary, 31, 49; *Yonkers Gazette*, 6 January, 1866; *ante*, 342.

tion of June, 1681, and after Andros, Nicolls, Dyer, and Lewin had explained to his commissioners the real condition of New York. Perhaps the frame of government which Penn had published in the previous spring may have, in some degree, influenced the duke.* At all events, James instructed Dongan on his arrival at New York to call together Frederick Phillipse and Stephen van Cortlandt, its only actual counselors, and other "most eminent inhabitants," not exceeding ten in all, and swear them to allegiance to the king, fealty to the duke as "lord and proprietor," and official faithfulness as members of his council.† These counselors were to "enjoy freedom of debates and vote in all affairs of public concern;" but they might be suspended by the governor until the duke's pleasure should be signified. With the advice of his council, Dongan was, immediately after his arrival, to issue writs to the proper officers in every part of his government for the election of "a General Assembly of all the Freeholders by the persons who they shall choose to represent them," in order to consult with the governor and council "what laws are fit and necessary to be made and established for the good weal and government of the said Colony and its dependencies and of all the inhabitants thereof." This Assembly, which was not to exceed eighteen, was to meet in the city of New York. "And when," added the duke to Dongan, "the said Assembly so elected shall be met at the time and place directed, you shall let them know that for the future it is my resolution that the said General Assembly shall have free liberty to consult and debate among themselves all matters as shall be apprehended proper to be established for laws for the good government of the said Colony of New York and its dependencies, and that if such laws shall be propounded as shall appear to me to be for the manifest good of the country in general, and not prejudicial to me, I will assent unto and confirm them." All laws agreed to by the Assembly were to be submitted to the governor,

27 Jan'y.
Dongan's
instructions from
James.

Counselors.

General
Assembly.

Powers of
the Assembly.

* *Ante*, 353, 354, 359. Several writers say that the Duke of York's instructions to Dongan were based upon the advice of Penn, after his visit to New York in November, 1682: *ante*, 367. I have seen no evidence to support this statement; and, from a comparison of dates and other circumstances, do not think it probable.

† The oath required by the "Test Act" of 1673 was not imposed on officers in the British colonies until after the accession of William the Third, in 1689: compare Col. Doc., iii., 231, 269, 543, 623, 683; *ante*, 204, 264; *post*, 635.

who could approve or deny them, according to his judgment. Such laws were to be confirmed or rejected by the duke; yet they were to be "good and binding" until he should signify his disapproval—then they should "cease, and be null and void." No man's life or property within the government of New York was to be taken away or harmed "but by established and known laws, not repugnant to, but as nigh as may be agreeable to the laws of the kingdom of England." None were to be admitted to public trusts "whose ill fame and conversation may bring scandal thereupon." With the advice of his council, the governor might establish courts similar to those in England, grant lands, set up custom-houses, regulate the militia, and build fortifications; but no war could be made without the duke's command, nor any duties levied until enacted by a colonial Assembly. Peculiar "immunities and privileges," proposed to be given to the metropolis, were to be reported. Pemaquid was to be regulated so as to secure "the best advantage" to New York. As soon as he could, Dongan must settle the boundaries of the "territories towards Connecticut." But no reference was made to religion, as in James's instructions to Andros.*

CH. VIII.

1683.

Effect of laws.

Dongan's powers.

New York city.

Pemaquid.

Thus the inhabitants of New York were enabled by James to share colonial authority. This event occurred at a remarkable period. The political corporations, which so largely influenced English politics, were being remodeled. Charles's "vigorous counsels and resolute methods" were chiefly owing to the advice of the Duke of York; and the abrogation of the New England charters, which contrasted unfavorably with that of Pennsylvania, was contemplated. These charters were prized by their grantees, not because they secured civil and religious liberty to all the inhabitants, but because they restricted colonial authority to the members of the corporations. The chartered oligarchies in New England had been watched with interest by the duke, who perceived that they were administered for the chosen few, and not for the unprivileged many. James was bigoted and imperious, but just. Excluded from holding office within England by its "Test Act," he naturally abhorred all laws which made distinctions in religion. In

Political consideration which moved James.

* Colonial Documents, iii., 218, 331-334; Council Journals, i., Introd., ix., x.; ante, 264.

his judgment, all British subjects in America were entitled to be governed impartially. His chief dislike of an Assembly in New York was because it might be an "imitation" of some of those in New England. He did not object to one like that which the king had recently granted to Pennsylvania, nor to those enjoyed by Virginia and New Hampshire. In the form of government which the proprietor now established in New York, he aimed to secure its dependence on the British crown, and the participation of all its freeholders in its local legislation. By retaining in his own hands the power to appoint its governor and counselors, James maintained the colonial subordination of New York. What its people desired was to levy their own taxes and make their own laws, by an Assembly elected by themselves, as in Virginia, New Hampshire, and Pennsylvania. In this respect their wishes were fully met by the duke, who established in his province a more democratic government than any of the chartered colonies in New England enjoyed. Freer than their fellow-subjects in these oligarchies, the freeholders of New York now gained the right to elect their own representatives in an Assembly.*

Freedom
in New
York.

2 March.
James's let-
ter to New
York.

27 Jan'y.
John
Spragg sec-
retary.
4 Jan'y.
17 Feb'y.
23 April.
Lucas San-
ten collect-
or.

In a letter to "The General Assembly of New York," James said that he had directed Dongan to call them together to "consult and propose all such matters as shall be for the public good." Instead of John West, who held Nicolls's old office, he also made John Spragg secretary of his province. As Dyer had been appointed surveyor general of the king's customs in America, Lucas Santen was made the duke's collector and receiver in New York and its dependencies, with instructions like those of his predecessor. The Reverend Doctor John Gordon was also commissioned to be chaplain of the soldiers in New York. An English Jesuit priest, Thomas Harvey, of London, likewise accompanied Dongan, who embarked for America in the old Parliamentary frigate "Constant Warwick."†

* Col. Doc., iii., 230, 235, 247, 251, 677; Smith, i., 66; Chalmers's Ann., i., 274-277, 284, 605; Rev. Col., i., 169; Hutch. Coll., 223, 484, 534-538; Rapin, ii., 729, 726; Burnet, i., 543, 527, 528; Clarke's James II., i., 732-738; Dalrymple, i., 21-23; Story's Misc., 66; ante, i., 208, 331; ii., 292, 358.

† Col. MSS., xxxi., 13; Council Journals, i., Introd., x., xi.; Council Min., v., 242; Commissions, i., 71, 72; Minutes N. Y. Com. Coun., i., 171; Col. Doc., iii., 222, 235, 236, 416; Doc. Hist., iii., 73; Adlard's Sutton Dudley's, 75; Oldmixon, ii., 36; Pepys, i., 74; Letter of Selyns, 21 October, 1683; ante, 353. Chaplain Gordon appears to have been the successor

"With a considerable retinue," Dongan arrived at Nan-tasket, and set out for New York overland, accompanied some ten miles, to Dedham, by a troop of Boston militia, "besides severall other gents of the town." Crossing the Sound to Long Island, Dongan's attention was aroused by the disaffection of the people; and, "to extinguish the fire of discontent," he assured them that "no laws or rates for the future should be imposed but by a General Assembly."²²

Ca. VIII.

1683.

10 August.
15 August.
Arrival of
Dongan in
Massachu-
setts.

The governor reached New York on Saturday, the twenty-fifth of August. The next Monday morning he met the magistrates at the City Hall, where he published his commission and exhibited his instruction respecting special privileges to the metropolis. The following day he dined with the city authorities, and, according to their record, "his honor received a large and plentiful entertainment, and they had great satisfaction in his honor's company."²³

27 August.

28 August.
Dongan in
New York.

John Spragg was at once installed as secretary of the province, and Brockholls, with the former secretary, Matthias Nicolls, who had returned from England, and others, were directed to catalogue the records surrendered by West. Mayor Beekman, with Van Cortlandt, Santen the collector, Captain Mark Talbot, and Gabriel Minvielle, were appointed to survey Fort James, and Captain Thomas Young to be pilot of the port of New York.²⁴

Fort
James.
31 August.
Port pilot.

After a hurried visit to Albany, the governor summoned the freeholders of New York, Long Island, Esopus, Albany, Pemaquid, and Martha's Vineyard, to choose representatives to appear for them at a General Assembly to be held at the metropolis on the seventeenth day of October. John West, the clerk of the Court of Assizes, was also directed to deliver all its records to Secretary Spragg.²⁵

13 Septem.
A General
Assembly
summoned.

The cause of Dongan's rapid visit to Albany was Penn's attempt to secure the upper Susquehanna valley to himself. Finding that some of the Iroquois nations claimed that region by right of conquest, Penn commissioned one of his

Penn and
the Susque-
hanna.

of Wolley, who returned to England in 1680 (*ante*, 332), and was paid salary from 26 November, 1682, to 6 October, 1683: Camden Soc., Secret Services Charles II. and James II., 128.

²² Adlard's Sutton Dudley's, 75, 76; Smith's New York, i, 67.

²³ Minutes of C. C., i, 171; Dunlap, i, 133; Smith, i, 66; Col. Doc., iii, 334; *ante*, 373.

²⁴ Entries, xxxiii, 79-81; Minutes of C. C., i, 171; Col. Doc., iii, 314, 315, 329; Colonial MSS., xxxiv., 1, 2.

²⁵ Doc. Hist., i, 259, 260; Col. Doc., iii, 331; Council Minutes, v., 1, 2, 3; Journals of Legislative Council, i, Introd., xi.

- CH. VIII. councilors, William Haige, with Alderman James Graham, of New York, to buy it for him from the savages. The
1683. Pennsylvania agents were at Albany on this business when Dongan reached New York. As soon as he could, the governor went up himself, and directed the Albany commissaries to examine the matter. They reported that a settlement on the Susquehanna would be "much nearer to the Indians" than Albany, and that Penn's purchase there would "be prejudicial to his Royal Highness's Government." Dongan accordingly ordered them "to put a stop to all proceedings in Mr. Penn's affairs with the Indians until his bounds and limits be adjusted." The Albany
- 6 Septem. magistrates wrote, the next week, that "there hath not any thing ever been moved or agitated, from the first settling of these parts more prejudicial to his Royal Highnesses interest and the inhabitants of this Government, than this business of the Susquehanna River. The French, it is true, have endeavored to take away our trade by piece meals; but this will cut it all off at once." So, when
- 8 Septem. Penn's agent solicited the Cayugas and Onondagas to sell their Susquehanna land to him, they refused, and told the Albany commissaries that the Senecas, Oneidas, and Mohawks had nothing to do with it; that the land "cannot be sold without Corlaer's order, for we transferred it to this Government four years ago;" that they "now convey and transport it again, and give it to the Governor General, or those who now represent him." Oronaté, or Tawerahet, and two other Cayuga sachems, accordingly executed a formal "conveyance of the Susquehanna River, with the land situate thereupon," which the Albany commissaries accepted, "for Corlaer," and gave the savages a handsome present, "in full satisfaction."*
- 15 Septem. Penn had meanwhile come to New York, at Dongan's invitation, but remained only a short time, because of his boundary dispute with Lord Baltimore. Not long afterward the Mohawks visited Fort James, and agreed to give the Susquehanna River to New York. In announcing this to Penn, the governor said, "about which, you and I shall not fall out; I desire we may joine heartily together to
- 24 Septem. Penn in New York.
- 3 October.
- 22 October.
- Susquehanna lands.

* Dec. Hist., I., 250-261, 263; Col. Doc., iii., 533, 496, 523, 550; ix., 227, 550; Pennsylvania Archives, I., 62-75, 59; Penn. I., 155, 262; Whitehead's E. J. Contributions, 14; Colben, I., 55, 56, 103; ii., 64; *ante*, 328.

advance the interest of my master and your good friend." CH. VIII.
 Dongan's action about the Susquehanna lands was approved
 by James, but it provoked the enmity of Penn.* 1683.

In his interview with the Mohawks, Dongan told them to deal no more with the French without his leave, allow no Frenchmen except the Jesuits to live among them, bring back as many of their friends as they could from Canada, make peace with those they were now at war with, and always to tell the governor of New York what the French said to them, adding that he would always look upon them as his "children." The Mohawks declared that they would "put themselves under his Honor's protection," and would "never suffer any straggling Frenchmen amongst them, but those Jesuits, who are very good men, and very quiet; and yet, if his Honor shall please, they will send them away also; and that none hath any land from them, and that they are resolved never to sell or give them any, or any others except the people of this Government." Dongan, 3 October. Dongan's orders to the Mohawks. renewing the claim which Andros had asserted in 1677, Dongan renews the claim of Andros. declared "that all on this side of the Lake of Canada belongs to the Government of New York, and that the Governor desires they may be all acquainted with it, and expects their submission;" gave the Mohawks "a ragged ship's flag," bearing the English arms, to be hoisted in their country, and soon afterward, by proclamation, forbade all 26 Novem. persons to trade with the Indians without the governor's license.†

At the time of Dongan's arrival in New York, the Jesuit Father Vaillant was the only missionary among the Mohawks; but when the sachems returned with the English flag which Dongan had given them, and which they deposited in their "public chest," Vaillant abandoned his mission and went back to Canada. Millet remained at Oneida until the next July. The two Lambervilles also continued undisturbed at Onondaga. But on the return from Albany of the Cayuga chief Oronaté, he drove the Father Carheil Jesuit missionaries among the Iroquois.

* Froude, i., 276; Penn. Arch., i., 76, 77, 79, 81, 84; Council Min., v., 10, 11; Doc. Hist., i., 262, 263; Col. Doc., iii., 341, 350, 394, 397, 406, 418, 422. It was not until 1697 that Penn obtained a conveyance from Dongan of his Susquehanna lands: Pennsylvania Archives, i., 121-123; Col. Rec., iii., 161; Golden, ii., 64; N. Y. H. S. Coll. (1869), 378-383.

† Council Min., v., 7-12; Doc. Hist., i., 67, 232, 233; Col. M.S., xxxi., 94; Col. Doc., iii., 247; v., 731; i., 293, 223, 800; Shea's Missions, 312, 313; Charlevoix, ii., 215; Golden, i., 41, 53, 54, 244, 250; ante, 307.

CH. VIII. out of that canton. Garnier, who for three years had been
 1683. left alone among the Senecas, now felt no longer safe, and
 escaped from Niagara to Fort Frontenac.*

20 May.
 De la
 Barre's
 policy.

De la Barre had meanwhile written to France that he
 must attack the Senecas; that over sixty "deserters" from
 Canada were now harbored by the English at Albany and
 New York; and that the Duke of York should be asked
 to prevent his subjects from "further aiding and stimulat-
 ing the Iroquois against the French." In the autumn he
 charged that the English had gained such an influence
 over the Iroquois that they now called Albany their
 "sixth cabin." They had even seduced "the captain" of
 the Prairie de la Madeleine, where there were now "two
 hundred good Iroquois soldiers," to return with his family
 to New York. Every effort had been made to secure
 friendship with the Senecas, who, hoping to gain by the
 war they were about to make in Virginia, demanded that
 La Salle should be withdrawn from Illinois, and refused
 to trade with the French at Niagara, or at Fort Fron-
 tenac.†

4 Novem.

Jealous of La Salle, of whose "false discovery" of the
 Mississippi De la Barre "did not think much," he charged
 the great adventurer with trying to draw away French col-
 onists from Quebec into the depths of the forest, "to build
 up an imaginary kingdom for himself." The truth was,
 that the sailor governor of Canada was narrow-minded
 and covetous of the gains which might be made by the
 fur traders. Accordingly, he sent the Chevalier de Bau-
 gy to supersede Tonty at Fort Saint Louis, and deprived
 La Salle himself of Fort Frontenac. This obliged that
 grand discoverer to return to Quebec, whence he embark-
 ed for France to lay his case before the king. But Louis,
 trusting to De la Barre's representations, had, in the mean
 time, pronounced that La Salle's exploration of the Missis-
 sippi was "very useless, and such enterprizes must be pre-
 vented hereafter;" and that, in consequence of his ambas-
 sador, Barillon's, complaints to Charles, Dongan had re-
 ceived "precise orders on the part of the said King to

De la
 Barre jeal-
 ous of La
 Salle,

9 Novem.
 who re-
 turns to
 France.

5 August.
 Louis
 thinks
 La Salle's
 discovery
 "useless."

* Col. Doc., iii., 515; ix., 171, 227, 523, 229, 369, 762, 800; Shea's *Missions*, 274, 280, 294, 313, 375; *ante*, 362.

† Col. Doc., iii., 451; ix., 197, 198, 202-210; Quebec MSS., iv. (H.), 172, 174; Charlevoix, ii., 309-307; Shea's *Missions*, 313; *ante*, 309.

maintain good correspondence with us, and carefully to avoid whatever may interrupt it."* CH. VIII.

The French had meanwhile encroached on the Duke of York's territory of Pemaquid, west of the Saint Croix; and Grand Fontaine, the governor of Acadia, had authorized the Baron Vincent de Saint Castin to be his lieutenant at Pentagouet, or Penobscot, which the Dutch had reduced in 1674. Castin had come to Canada as an officer in the old Carignan Regiment, with Courcelles, but, preferring a roving life among the Abenaki savages, had so conformed himself to their ways as to be made their great chief. Gradually he saved a large fortune. His encroachments on the duke's territory had already startled Brockholls. A few days after he reached New York, Dongan accordingly wrote to "the French who live among the Indians at Pemaquid," desiring them to come under the duke's authority, or else quit his territory between the Kennebec and the Saint Croix before the next May; and offering them lands and kind treatment as Englishmen if they would come under his government.† As soon as he returned from Albany, Dongan appointed John Allen sheriff of Pemaquid; and Ensign Thomas Sharpe was afterward made commander. New trading regulations were also established; one of which was, that no license from Sir Thomas Temple's nephew, John Nelson, of Boston, or any one else not authorized by the Governor of New York, was to be good. At Dongan's suggestion, the merchants of the metropolis subscribed two thousand guineas in a stock company to manage the fisheries and Indian trade at Pemaquid, and the duke himself was asked to take a share in the adventure. These proceedings naturally stirred up jealousy in Boston.‡

In writing to the Classis of Amsterdam, Domine Selyns gave an interesting account of provincial Church affairs at

1683.
Pemaquid
affairs.

Castin.

2 Sept.
Dongan's
warning.

13 Sept.

10 Novem.

22 Novem.

21 Oct.
Selyns's
letter to
Holland.

* Col. Doc., iii., 447, 451; ix., 193, 200, 203, 204, 214, 215, 216, 798, 799; La Hontan, i., 7, 8; Charlevoix, ii., 255, 256, 290, 367; Shen's Discovery, 185; Sparks's La Salle, 108, 109, 204; N. Y. H. S. Coll., ii., 285-287; Lou. H. S. Coll., i., 66; Garneau, i., 245.

† Col. Doc., iii., 450; ix., 263. By a very common error, this letter was dated in August instead of September. Dongan did not reach Nantasket until the 10th, nor New York until the 25th of August, 1683; *ante*, 375.

‡ Col. Doc., iii., 334, 340; iv., 207, 211; ix., 75, 918, 919; Charlevoix, ii., 274, 260; La Hontan, i., 225; Hutch. Coll., 502; Williamson, i., 429, 471, 472, 550, 581; Penn. Arch., i., 80; Council Min., v., 23-27; Col. MSS., xxxiv., 8, 19; Pemaquid Papers, Maine H. S. Coll., v., 59, 60, 61, 73-81, 89-91; *ante*, 264, 296.

CH. VIII. this time. At Schenectady, Domine Tesschenmacker, who, after leaving Newcastle, had been preaching at Staten Island, was called. Domine Godfridus Dellijs, a young clergyman who had just come out from Holland, was settled as colleague of Schaats at Albany. Weeksteen at Esopus, and Van Zuuren on Long Island, labored acceptably. At New York Selyns was much pleased: "My congregation," he wrote, "is engaged in building me a large house, wholly of stone, three stories high, and raised on the foundation of unmerited love. The surrounding villages—although too much for one person—I have not left neglected; preaching there on Mondays and Thursdays, administering the Communion, and attending the thanks-preaching and Church ordinances. Domine Petrus Daillé, late professor at Salmurs, has become my colleague, and attends to the service in the French worship. He is full of fire, godliness, and learning. Banished on account of his religion, he maintains the cause of Jesus Christ with untiring zeal. Domine John Gordon has come over to take charge of the English Church service. After my forenoon, and before my afternoon service, there is preaching in the English and French tongues. The Heer Dongan, our new governor, has at last arrived, and has told me and my consistory that his order from the Duke was to allow freedom of conscience. His Excellency is a person of knowledge, politeness, and friendliness. I have had the pleasure of a visit from him, and can call on him when I choose. What is to be done for the good of our country and Church will be made manifest in the approaching Assembly, which is summoned to devise reasonable laws for us and our posterity."*

3 October.
Court of
Assizes. At its usual day, the Court of Assizes met at New York, and Dongan, of course, presided. Although he may have appeared "rather as Mars than as Mercury, yet his behaviour was with discretion, patience, and moderation, showing in him that principle of honour not wilfully to injure any, and had a regard to equity in all his judgments."

9 October.
Address to
the Duke. After the court adjourned, the sheriffs drew up an address to the Duke of York, in which they thanked him for sending over Dongan as governor of the province, "of whose

* Corr. Cl. Amst. MSS.; Murphy's Anth., 104, 105; Doc. Hist., iii., 205, 535, 536; ante 320.

integrity, justice, equity and prudence, we have already CU. VIII.
 had a very sufficient experience at our last General Court 1683.
 of Assizes. And that your Royal Highness might accumu-
 late your gracious favours, and oblige, not only us, but suc-
 ceeding generations, it has pleased your Royal Highness to
 grant us a General Assembly, to be held, the Seventeenth
 of this instant October, in your City of New York; a be-
 nevolence of which we have a larger and more grateful
 sense than can be expressed in this paper. And that it
 may appear that loyalty has spread as far into these parts
 of America, we will be always ready to offer up, with our
 hearty prayers, both our lives and fortunes for the defence
 of our most gracious Sovereign the King's Most Sacred
 Majesty, and your Royal Highness, against all enemies
 whatsoever.”*

It is probable that John Younge, the high-sheriff of
 Long Island, drafted this address. At all events, its tone
 fairly set forth the general sentiment of the people of New
 York. Nevertheless, there was some show of dislike to a
 Roman Catholic governor among the remote Puritan
 towns of Long Island. Easthampton adopted an address
 to Dongan, apparently written by its minister, Thomas
 James, which, among other things, promised that if the
 governor was an “instrument under God” to relieve them,
 he would “firmly engage and oblige” them and their pos-
 terity to hold him in honorable remembrance, as the first
 restorer of their “freedom and privileges;” but if not, that
 they would appeal to their “most gracious Sovereign,” and
 prostrate themselves “before the throne of his unmatched
 justice and clemency, where we doubt not to find reliefe
 and restauration.” What relief Easthampton could expect
 from the “unmatchable justice” of the Duchess of Ports-
 mouth’s paramour is not clear. However, the town di-
 rected their clergyman, James, to accompany and advise
 with their representatives at New York, “who are to stand
 up in the Assembly, for maintaining our privileges and
 English liberties, and especially against any writ going in
 the duke’s name, but only in his Majesty’s, whom only we
 own as our Sovereign. Also, in the town’s name, to certi-

10 Sept.
 Easthamp-
 ton’s ad-
 dress to
 Dongan.

24 Sept.

* West to Penn. in Penn. Arch., I, 89; Smith’s New York, I, 67, 68; Col. MSS., xxii.,
 74, 78; xxxiv., 4.

CH. VIII. fy Captain Younge, the High-Sheriff, that they do not send these men in obedience to his warrant, but because they would not neglect any opportunity to assert their own liberties." It does not appear that the other Puritan towns on Long Island imitated Easthampton. The elections went quietly on, according to the mode ordered by Dongan and his council; and a majority of the Assemblymen chosen were "of the Dutch nation." Each of the three Ridings of Long Island returned two representatives; Staten Island, one; Esopus, two; Albany and Rensselaerswyck, two; Schenectady, one; Pemaquid, one; Martha's Vineyard and Nantucket, one; and New York, with Haerlem, four, making in all eighteen.*

A majority
of the As-
sembly
Dutchmen.

17 October.
Meeting
of the As-
sembly.

The seventeenth of October, sixteen hundred and eighty-three, is a memorable day in the history of New York. On that autumn morning the representatives of its freeholders first met together under British rule, and seventeen delegates to its General Assembly took their seats in Fort James. It was just seventy-four years after Hudson had explored the "Great River of the Mountains," and about thirty years after Stuyvesant's "Landtdag," or Convention, in 1653, had demanded laws for New Netherland, "resembling, as near as possible, those of the Netherlands." As the Journals of Dongan's first Assembly have not been found, the names of all its members are unknown. The experienced Matthias Nicolls, one of the representatives from the city of New York, was chosen speaker, and John Spragg, who was both a counselor and the secretary of the province, was made clerk. The Duke of York's letter of the second of March to the Assembly was read, and his resolution made known that it should have free liberty to propound laws for the government, and that if such laws should be for the good of the country, and not prejudicial to the proprietor, he would confirm them. The Assembly sat for three weeks, and passed fourteen several acts. Each of these acts, after three readings, was assented to by the governor and his council.†

Nicolls
speaker,
and
Spragg
clerk.

Laws
passed.

* Thompson's Long Island, I, 314, 315; II., 328-330; H. P. Hodges's Address, 1850, 19, 75-77; Penn. Arch., I, 89; Journals of Leg. Council of N. Y., I, Int., xi.; *ante*, 145, 360.

† Col. Doc., III., 331, 332, 354, 355; Col. MSS., xxxi., 13; Council Journ., I, Int., x., xl., xli.; Wood's Long Island, 160, 164-167; Thompson, I, 161; Riker's Newtown, 104; Bancroft, II., 306, 414; N. Y. H. S. Coll., II. (II.), 35; Manuscript Book, in Secretary's Office, Albany, "1683-1684;" *ante*, vol. I., 34, 570-575; II., 374. Smith, I, 66, 111, 112, states that the

The first and most important of these laws was "The Charter of Liberties and Priviledges, granted by his Royal Highnesse to the Inhabitants of New Yorke and its dependencies." This venerable statute was simply, and clearly, and therefore ably worded, in good Saxon English. "For the better establishing the government of this Province of New Yorke, and that Justice and Right may bee equally done to all persons within the same," the charter enacted, "by the Governour, Councell, and Representatives, now in Generall Assembly met,"—among other things—"That the Supreme Legislative authority, under his Majesty and Royal Highness James, Duke of Yorke, Albany, etc., Lord Proprietor of the said Province, shall forever bee and reside in a Governour, Councell, and The People, mett in a Generall Assembly." It then ordained "That, according to the usage, custome, and practice of the Realm of England, a sessions of a Generall Assembly be held in this Province, once in three yeares at least." It likewise declared that "every freeholder within this Province, and freeman in any Corporation, shall have his free choice and vote in the electing of the Representatives, without any manner of constraint or imposition, and that in all elections, the majority of voices shall carry it." By other sections representatives were apportioned among the several counties, the usual privileges of Parliament were conferred on the members of Assembly, and the most liberal provisions of English law were declared to extend to the inhabitants of New York. Entire freedom of conscience and religion was guaranteed to all peaceable persons "which profess faith in God by Jesus Christ." The existing "Christian Churches" in the province were forever to be "held and reputed as priviledged churches, and enjoy all their former freedoms of their religion in divine worship and Church discipline." Following the words of the Petition of Right in 1628, the charter also ordained "that no aid, tax, tallage, assessment, custom, loan, benevolence, or imposition whatsoever, shall be laid, assessed, imposed or levied on any of his Majesty's subjects within this Prov-

Cu. VIII.

1683.

30 October.
Charter of
Liberties
adopted.

Assembly.

Freedom of
religion.Taxes: only
by con-ent.

acts of the old New York Assembly "are for the most part rotten, defaced, or lost. Few minutes relating to them remain on the Council Books, and none in the Journals of the House." It is to be hoped that Mr. George H. Moore's long-promised work (*ut*, 73, *note*) will modify Smith's remark.

CH. VIII. in or their estates, upon any manner of colour or pretence, but by the act and consent of the Governor, Council, and representatives of the People, in General Assembly met and assembled.”*

1683.

29 October.
A revenue
granted to
the duke.

In conformity with this section, “a continued Bill” was appended to the New York Charter, by which—“for and in consideration of the many gracious and Royall favours expressed and extended unto the inhabitants of this his Province, and also for the bountifull confirming and restoring to them and their posterity, the rights, priviledges, liberties and immunities before recited and expressed, and also for the better defraying the necessary charge and expence of this Province, which cannot otherwise be effected without great charge unto his Royal Highness”—the Assembly granted to the duke and his heirs certain specified duties on importations. The act was declared to be in force “immediately after publication thereof.”†

31 October.
The charter
proclaimed.

No time was lost in proclaiming this great event. Early on the following morning, “The Charter of Liberties and Privileges granted by his Royal Highness to the Inhabitants of New York and its dependencies, confirmed by Act of Assembly, with a continued act for defraying the requisite charges of the Government, were this day published at the City Hall, in the presence of his Honor the Governor, the Council and Representatives, and Deputy Mayor and Aldermen of this City, the inhabitants having notice by sound of trumpet, to hear the same.” The appended revenue act was put in force by a proclamation from Dongan, requiring all persons concerned to report to Santen, the duke’s collector, “at the Custom House, near the Bridge.”‡

1 Novem.

Thus the representatives of New York asserted the great principle of “Taxation only by consent,” which Holland had maintained since 1477, and appropriated the liberties allowed by English law to subjects within the realm of England. True ideas of popular government were now

* See Charter at length in Appendix, Note E.; N. Y. Revised Laws, 1513, ii., Appendix, iii., vi.; Munsell’s Annals, iv., 32-39; Chalmers, i., 584; Dunlap, ii., App. xiii., 200; Bancroft, ii., 414; N. Y. H. S. Coll., ii. (ii.), 35, 41; Col. Doc., iii., 241, 257-259; Smith, ii., 115; *ante*, 72, 84, 264, 373.

† MSS. Secretary’s Office, Albany; Dongan’s Laws, 1682, 1684, 7-12; Col. Doc., iii., 241, 257, 370, 400, 677, 678; Smith, i., 115; Journals of Leg. Council, i., 45, 46.

‡ Minutes of N. Y. Common Council, i., 175, 176; Col. MSS., xxxiv., 5.

mere distinctly announced in the ancient Dutch province by its own freely-chosen Assembly—of which a majority were “of the Dutch nation”—than in any Northern colony of British America. In none of the charter governments of New England were “the people” recognized as having legislative authority. The first law made by the representatives of Dutch-English New York ordained that “The People met in a Generall Assembly” were to share in its colonial legislation. These memorable words, “The People,” were so democratic, that the English king, at Whitehall, soon afterward objected to them, as being “not used in any other constitution in America.”* CH. VIII.
1683.
Democrat-
ic idea in
New York.

The next law passed by the New York Assembly was “to divide this Province and dependencies into shires and counties.” Twelve counties were established, the names of some of which appear to have been suggested by Dongan. The City and County of New York included Manhattan, Manning’s, and the Barn Islands. Westchester contained all the land eastward of Manhattan, “as far as the Government extends,” and northward, along the Hudson, to the Highlands. Ulster, which was named after the duke’s Irish earldom, embraced all the towns on the west side of the Hudson, from the Murderer’s Creek, near the Highlands, to the Sawyer’s Creek, now called Saugerties. Albany included all the territory on the east side of the Hudson, from Roelof Jansen’s Creek, and, on the west side, from Sawyer’s Creek to “the Saraaghtoga.” Dutchess extended from Westchester northward to Albany, and “eastward into the woods twenty miles.” Orange, which was so called in compliment to the Dutch son-in-law of James, included the region on the west side of the Hudson, from the New Jersey boundary northward to Ulster, at the Murderer’s Creek, and “westward into the woods as far as Delaware River.” Richmond, apparently named in honor of the king’s illegitimate son by the Duchess of Portsmouth, 1683.
3 March.
The king
objects to
“the Peo-
ple.”

* Col. Dec., III., 357, 358; Rapin, II., 270-277, 707; Penn. Arch., I., 80; Bancroft, I., 255, 256; II., 304, 383, 414; Chalmers, I., 584, 649; Mather’s Magnalia, I., 200; *ante*, I., 437, 573; II., 374. “The People” always have been loved words in New York. Her first State Constitution of 1777 declared that the style of all her laws should be—“*Be it enacted by the People of the State of New York, represented in Senate and Assembly.*” Under her second Constitution of 1821 she adopted the more direct formula, “*The People of the State of New York, represented in Senate and Assembly, do enact,*” etc. The present Constitution of 1846 ordains that this form shall be observed in the enacting clause of all bills.

CH. VIII. contained "all Staten Island," with Shooter's Island, and
 1683. the islands of Meadow on the west side. King's County, on Long Island, included Bushwick, Bedford, Brooklyn, Flatbush, Flatlands, New Utrecht, and Gravesend. Queen's contained Newtown, Jamaica, Flushing, Hempstead, and Oyster Bay. Suffolk, which commemorated the easternmost county of England, embraced Huntington, Smithfield, Brookhaven, Southampton, Southold, Easthampton to Montauk Point, Shelter Island, the Isle of Wight, Fisher's Island, and Plumb Island. Duke's County contained the islands of Nantucket, Martha's Vineyard, Elizabeth Island, and No Man's Land. Cornwall, named after the southwestern county of England, included "Pemaquid, and all his Royal Highnesses territories in those parts, with the islands adjacent." It was also enacted that every year a high-sheriff should be commissioned for each county.*

Sheriffs.

1 Novem.
Courts of
justice.

A third important act was "to settle Courts of Justice." This law established four distinct tribunals in New York: Town Courts, for the trial of small causes, to be held each month; County Courts, or Courts of Sessions, to be held at certain times, quarterly, or half yearly; a General Court of Oyer and Terminer, with original and appellate jurisdiction, to sit twice every year in each county; and a Court of Chancery, to be "the Supreme Court of this Province," composed of the governor and council, with power in the governor to depute a chancellor in his stead, and appoint clerks and other officers. But any inhabitant of the province might appeal to the king from any judgment, according to a clause in the Patent to the Duke of York. Dongan accordingly appointed the former provincial secretary, Matthias Nicolls, and Captain John Palmer, of Staten Island—both of whom had been bred lawyers—to be the first judges of the New York Court of Oyer and Terminer.†

29 Decem.
1684.
7 Febr'y.

Another law was ordained at the same time "for naturalizing all those of foreign nations at present inhabiting

* MSS. Laws, Secretary's Office: Revised Laws, 1813, ii., App., vi., vii.; Th. imp. ed., ii., 319, 320; Dunlap, ii., App., xliii., xlv. The note at the foot of page iii., in Appendix to ii., Rev. Laws, 1813, is erroneous. Giles Goddard represented Cornwall County in the Assembly of New York for one session certainly: Maine H. S. Coll., v., 4, 94, 98, 263, 264; Williams, i., 582.

† MSS. Laws, Secretary's Office: Rev. Laws, 1813, ii., App. viii.-x.; Col. MSS., xxx. no. 14; Council Min., v., 47, 48, 49; Col. Doc., ii., 296; iii., 389, 390, 412, 414, 417; N. Y. H. S. Coll., ii. (il.), 35, 36; Daly's Sketch, 50, 51; Wood's Long Island, 190, 191, 144, 159; Th. imp. ed., i., 101, 162; ii., 399; ante, 282.

within this Province, and professing Christianity, and for encouragement of others to come and settle within the same." This statute was demanded by the general sentiment of "the people" of the most polygenous of all the British dependencies in North America. The Dutch inhabitants of New York rejoiced in knowing that the Stadtholder of their fatherland was the husband of the presumptive heiress of the British crown, and that he might, perhaps, become their own proper king. They saw that Louis was beginning to drive out of France every one of his subjects who did not profess that the Pope of Rome was the only vicar of Christ. Therefore the Assembly of New York ordained that all the actual inhabitants of the province, except bondmen, of what foreign nation soever, who professed Christianity, and who had taken, or should take the oath of allegiance, were naturalized; and that all Christian foreigners who should afterward come and settle themselves in the province might be naturalized upon their swearing allegiance to the king, and fidelity to the proprietor.*

Cu. VIII.

1683.

1 Novem.
Naturalization law.

1 Novem.

After passing several other less important acts the Assembly adjourned; and the laws it had enacted were formally published in front of the City Hall. Not long afterward, Captain Mark Talbot was sent by Dongan to carry them to England for the duke's approval and confirmation.†

7 Novem.
Laws published
4 Decem.
and sent to the duke.

In the mean time, Connecticut, renewing the claim to a part of New York, which she had asserted to Brockholls the year before, complained to Dongan that Rye, Greenwich, and Stamford had been summoned to "make presentment" at the New York Assizes, and that as those towns "indubitably" belonged to Connecticut, they should not be "molested by any such injunctions." Dongan, who had been specially instructed to settle the duke's boundary toward the east, answered at once that the agreement was that Connecticut should not come within twenty miles of the Hudson River, and that she had "abused the former

5 October.
Connecticut boundary.

9 October.

* MSS. Laws, Secretary's Office; Livingston and Smith's Laws, 113; Van Schaack, 97, 98; Col. Dec., iii., 114, 355, 370, 399, 478; v., 496; Council Journ., i., Int., xii., 387, 390; Assembly Journ., i., 95, 149, 151, 373, 377; Chamber's Ann., i., 584; Rev. Col., i., 145.

† Minutes of N. Y. Common Council, i., 178, 179; Col. Dec., iii., 340, 349; Entries, xxxiii., 79; Council Journ., i., Int., xii.; Historical Magazine, vi., 233.

CH. VIII. contract." Attempting finesse, Connecticut replied that she had not violated that agreement. But Dongan wrote back very plainly—"The King's Commissioners, being strangers, and relying upon your people, were assured by them that the river Mamaroneck was twenty miles, every where, from Hudson's River, as we have very creditable witnesses can testify, and that it was Colonel Nicolls his intentions. Notwithstanding all that, you pretend to within sixteen or seventeen miles of this town, and, for ought we know, to Esopus and Albany also; which is argument sufficient it was none of Colonel Nicolls his intention. If you do not submit to let us have all the land within twenty miles of Hudson's River, I must claim as far as the Duke's Patent goes, which is to the River Connecticut. * * * Since you are pleased to promise to do me the honor to see me, pray come with full power to treat with me; and I do assure you, whatsoever is concluded betwixt us shall be confirmed by the King and his Royal Highness, which the other agreements, I hear, are not. If you like not of it, pray take it not ill that I proceed in a way that will bring all your patent in question."*

14 Novem.
Connecticut's
action.

But Connecticut had no notion to have her patent brought "in question" by the Duke of York, in such perilous times for charters in England. In great tribulation, Governor Treat summoned a special court at Hartford, and characteristic action was taken. Treat, with Gold, Allyn, and Pitkin, were commissioned to go to New York, and agree for a final settlement of the boundary, according to their "best judgment;" but with the proviso—which abandoned Connecticut pretenses—"that his Majestic and Royall Highness approve of and confirm the same." The agents were privately instructed not to yield to the Governor of New York more than twenty miles eastward from the Hudson River, "but get him to take up with as little as may be." These instructions were so framed as to allow Connecticut to gain every thing she could, and to take up with almost any thing—provided "His Majestic and the Duke's Highness shall please to ratify it."†

* Col. Rec. Conn., III, 100, 131, 313, 314, 329-330; Col. Doc., III, 106, 230, 231, 235, 236, 247, 233; VII, 507; *ante*, 360, 361, 373.

† Col. Rec. Conn., II, 312, 314, 315; III, 133-136, 328, 330; Trumbull, I, 364, 365; C. I.

When the Hartford Commissioners reached New York, they found that Dongan was fortified with the testimony of Lawrence, Younge, and Nicolls, who personally knew that in 1664 it had been clearly understood that Connecticut was never to approach the Hudson River nearer than twenty miles. This truth, indeed, was too certain to be gainsaid. The pretenses of Connecticut to any territory on that river were proved to be "fraudulent or erroneous." And now the Connecticut agents appealed to Dongan's magnanimity, as their predecessors had to that of Nicolls, to be allowed to retain some of their settlements on the Sound, and to give in exchange for them an "equivalent tract" inland. It was accordingly agreed between Dongan, with his counselors Broekholts, Phillipse, Van Cortlandt, and Younge on the part of New York, and Treat, Gold, Allyn, and Pitkin on the part of Connecticut, that the boundary point between the two provinces should be removed several miles east from Mamaroneck to Byram River, between Rye and Greenwich, and the line run thence as it now remains; and that this new line should be properly surveyed the next October. On their return to Connecticut, her commissioners notified the Rye magistrates that they "could not help" giving up that town, but that Dongan was "a noble gentleman," and would do for their welfare whatever they should "desire in a regular manner."²

CH. VIII.

1683.

25 Novem.
Connecticut agents
in New York.28 Novem.
Agreement
about the
boundary.

3 Decem.

One of the duke's special instructions to his lieutenant governor, as has been seen, was to consider and report the advantage of granting to the city of New York "immunities and privileges beyond what other parts of my territories doe enjoy." Immediately after the adjournment of the Provincial Assembly, the mayor and aldermen of the metropolis accordingly petitioned Dongan that the "ancient customs, privileges, and immunities" which had been granted to them by Nicolls in 1665, should be confirmed by a charter from the Duke of York, with certain additions, including the division of the corporation into six wards;

9 Novem.
New York
City.

MSS., xxxi., 92; lxi., 8; N. Y. Senate Doc., 1857, No. 168, p. 43, 44, 107-109; Col. Doc., iii., 235, 362, 563; vii., 334, 563, 566, 567.

* Council Min., v., 27, 28, 29, 30, 31; Col. MSS., lxi., 9, 10, 11; Col. Rec. Conn., iii., 330-333; Bolton's Westchester, ii., 26, 27; Trumbull, i., 365, 366; Senate Doc., 1857, No. 168, 44, 45, 110-112; Smith, i., 285, 286, 287; Dunlap, ii., App. xlv.; Col. Doc., iii., 106; iv., 629; v., 259; vii., 564; viii., 442; ante, 56, 55.

- CH. VIII. the annual election of aldermen and other officers by the freemen in each ward; the local government of the city to be intrusted to them, and to a mayor and recorder, to be annually appointed by the governor and council; that a sheriff, coroner, and town-clerk be appointed in the same way; that the corporation appoint their own treasurer; and, finally, that whatever else was necessary for its welfare should be confirmed to the old Dutch city as fully "as his Majesty hath been graciously pleased to grant to other corporations within his realm of England."*
- 1683.
- 19 Novem. Objections were made by the governor and his council to some of these proposed additional articles. But, after
- 19 Novem. full explanations, they were agreed to in "almost every particular." The existing metropolitan officers were accordingly reappointed by the governor; who also commissioned John West, its actual clerk, to be "clerk of the city of New York," and John Tudor, one of the lawyers whom Brockholls had assigned to prosecute for the duke's government, to be its sheriff, in place of Collyer. The corporation soon afterward asked that it might choose its own clerk, and have other privileges. Dongan answered that the clerk's nomination must be referred to the duke. But he allowed the corporation its ferry, dock, and market, and promised it a grant of lands on Manhattan Island.
- 27 Novem.
- 6 Decem. The mayor and aldermen accordingly divided the city into six wards, and assigned Nicholas Bayard to be alderman for the South Ward, John Inians for the Dock Ward, William Pinhorne for the East Ward, Gulian Verplanck for the North Ward, John Robinson for the West Ward, and William Cox for the Out Ward. Dongan now ordered that the substance of the corporation's petition of the ninth of November be put in practice, "until such time as his Royal Highnesses pleasure shall be further known therein."
- 8 Decem. The city of New York divided into wards.
- 10 Decem.

* Col. Doc., 334, 337-339; Val. Man., 1844-5, 312, 313; 1851, 397-399; Minutes of N. Y. Common Council, i., 179-182; Council Min., v., 16-19; ante, 76, 77, 373. This petition was signed by William Beckman, the mayor, and Johannes van Brugh, John Lawrence, Peter Morris, James Graham, Cornelis Steenwyck, and Nicholas Bayard, the aldermen of the city of New York: Ent., xxxiii., 79; Col. Doc., iii., 339. These names do not appear in Valentine's Manual. Between the 9th and the 24th of November, 1683, Dongan seems to have appointed Steenwyck mayor in place of Beckman, and Nicholas Bayard, John Inians, William Pinhorne, Gulian Verplanck, John Robinson, and William Cox to be aldermen: Minutes of N. Y. Com. Council, i., 184, 186; Dunlap, ii., App. cxxxi. Mr. Murray Hoffman's "The City," vol. ii., 7-10, makes the petition of the New York Common Council of 9th and 17th Nov. 1683, to Dongan, as governor for the Duke of York, appear as if they were addressed to him as governor under James the Second, in 1686.

He accordingly commissioned James Graham, one of its late aldermen, to be the first recorder of the city of New York. All its other officers were sworn to fidelity by the governor in Fort James; and Recorder Graham, coming thence to the City Hall, "took his place on the bench on the right hand of the mayor."^{*}

CII. VIII.

1683.

4 Decem.

1684.

16 Jan'y.

Recorder

Graham.

Dongan also allowed the metropolis to hold a Court of Sessions until the duke's pleasure should be known, and commissioned its mayor and aldermen to be justices of the peace. As soon as it was organized, the common council adopted various by-laws for the government of the city.

1 Feb'y.

31 March.

Court of

Sessions.

15 March.

It also asked Dongan to confirm the former orders of Andros, especially that of the 20th January, 1680, prohibiting the bolting of flour at any other place in the province than the city. The governor required "reasons at large" for this request; and the corporation submitted that, as the manufacture of flour was the chief support of the trade of the metropolis, the high reputation of its breadstuffs should not be taken away, as it would be if bolting were allowed elsewhere, and that Long Island enjoyed a peculiar advantage in its whaling, while the rest of the province was agricultural.

17 March.

18 March.

Albany, however, objected to such a monopoly being allowed to the metropolis. But as Deputy Governor Walrond, of Barbadoes, complained that some bad meal had already been sent there from New York, Dongan issued a proclamation prohibiting the packing or bolting of flour, or the making of bread for exportation, in any place within the government, except the city of New York. This action was approved by the duke's commissioners, who instructed the governor "by all means chiefly to encourage the City of New Yorke, according to the practice of your predecessors, and particularly to observe how it was in Sir Edmond Andros, his time."[†]

9 April.

16 April

18-22 May.

Bolting of

flour.

1 Novem.

The shipping of the port of New York now consisted of three barks, three brigantines, twenty-seven sloops, and forty-six open boats. But the trade of the city had lan-

1 March.

New York

shipping.

* Council Min., v., 19, 20, 27, 31-35, 52; Col. MSS., xxxi., 95; xxxiv., 9, 10, 12; Min. of C. Council, i., 182-202, 207, 208, 223; Val. Man., 1844-5, 314-317; 1851, 329-401; 1854, 433, 440; Entries, xxxiii., 10; Dunlap, ii., App. cxxxii., cxxxiii.; Daily's Sketch, 51; ante, 300.

† Min. of Com. Council, i., 143, 169, 210, 211, 230-245, 253, 255-257, 260, 261; Val. Man., 1851, 401; Council Min., v., 59, 62, 65, 71, 72, 83-85; Col. MSS., cxxii., 125, 127, 131, 141; xxxiv., 20; Col. Dec., iii., 315, 338, 351, 397; Dunlap, ii., App. cxxvii.-cxxxv.; Hoffman's Treatise, ii., 6; Oldmixon, ii., 28; ante, 300.

CII. VIII. 1684. guished of late, owing to peculiar causes, one of which was the duke's alienation of East Jersey. At Dongan's suggestion, under an opinion of Recorder Graham, the council and the city authorities drew up an address to the duke, in which was shown the convenient natural situation of Manhattan for commerce, and the hurtfulness of the "unhappy separation" of New Jersey from the ancient territory of New York, by reason of which its trade was diverted, to the injury of the proprietor's revenue. They therefore prayed that his royal highness would reannex East Jersey to his province "by purchase or other ways," and thus prevent the flourishing of the adjacent country by the ruin of New York. This address, the joint work of the New York Council—of which the elder Lewis Morris, of Westchester, and also of New Jersey, had just been sworn a member—was sent by Dongan to the duke and his commissioners, with a representation urging "the great inconveniences of having two distinct Governments upon one River," and "how convenient it would be to regain East Jersey."*

1684.
15 Feb'y.
7 March.
New York
City's ad-
dress to the
duke.

23 Febr'y.
2 March.
New York
and New
Jersey.

26 March.
29 March.

Penn and
Dongan.

New York, indeed, had reason for annoyance. The proprietors of East Jersey removed Rudyard, and appointed Gawen Lawrie to be their governor, who, after visiting Dongan, assumed his official duties at Elizabethtown. Lawrie soon wrote home that the Governor of New York desired the boundary-line between the two provinces to be run, because several plantations were settled on the Hudson, and it was not known to which side they would fall. Amboy was now named "Perth," in honor of the earl, and a ferry was established there between Pennsylvania and New York. A few weeks afterward, Lawrie reported that several merchants of New York were leaving their plantations there and coming to East Jersey, because its land was more productive. Even Penn and Dongan seem to have become rivals for the purchase of Baker's interest in Elizabethtown.†

* Council Min., v, 48; Min. of N. Y. Com. Council, i, 290, 222, 223, 225-227; Val. Man., 1650, 575; Col. Doc., ii, 619; iii, 241, 248, 254; Chalmers's Ann., i, 619, 621, 627, 628; Dunlap, ii, App. cxxvii; Assembly Journals, ii, 527, note; Whitehead's East Jersey, 107, 215, 216; Eastern Boundary, 30. Lewis Morris was admitted into the New York Council on 17 January, 1684; Council Min., v, 43; Bolton's Westchester, ii, 290; Whitehead's Mem. of L. Morris, 3; *ante*, 188.

† Chalmers, i, 619-6.1; Land and Spices, 163-185; Col. Doc., iii, 332; S. Smith, 179,

Penn had now become so involved in his controversy with Lord Baltimore that he sent two of his counselors, Lloyd and Welsh, to ask Dongan's friendly intervention. The governor promptly wrote to Maryland, as desired. But when the Pennsylvania agents asked to be allowed to treat with the New York savages for their Susquehanna lands, Dongan told them "that they of Albany have suspicion it is only to get away their trade, and that Mr. Penn hath land already more than he can people these many years; that the Indians have long since given over their lands to this government; and advised them to write over to the duke about it." The agents then asked the governor to write to the Indians; but this was refused. Dongan's firm opposition to Penn's "coveting his neighbor's lands," made the latter his bitter enemy in England, whither he soon afterward returned "to improve his interest" with the court. The duke's secretary, however, instructed Dongan "that no lands beyond the bounds of East and West Jersey (betwixt the rivers) ought to be separated from your government upon any terms, and that you should use great care to hinder Mr. Pen and the inhabitants of both Jerseys from obstructing the peltry trade of New York; and that in order to this, you should prevent, all you can, the uniting of any part of either Jersey with Mr. Pen, who (as you observe) is very intent on his owne interest in those parts." Again Werden wrote, "Touching Susquehanna River, or lands about it or trade in it, which the Indians convey to you or invite you to, we think you will doe well to preserve your interest there as much as possible, that soe nothing more may goe away to Mr. Penn or either New Jerseys. For it is apparent they are apt enough to stretch their priviledges, as well as the people of New England have been, who now probably will be reduced to reason by prosecution of the Quo Warranto which is brought against them."²²

During the winter the savages in Maine were suspected of plotting against the English, and the New Hampshire

Cu. VIII.

1684.

23 April.

24 April.

Dongan opposes Penn's pretensions.

12 August.

10 March. James's orders to Dongan.

27 August. The Susquehanna lands.

21 March. Pennaquis.

172, 175-180; Hatfield, 218-230; Whitehead's E.J., 38, 99, 100, 107, 101, 284-293; N. J. H. S. Proc., viii., 162; Council Min., v., 65; Penn. Arch., i., 80; *ante*, 49, 107, 368.

* Col. Doc., iii., 349, 341, 350, 422; Doc. Hist., i., 263, 265; Council Min., v., 73-79; Penn. Arch., i., 84-87; Col. Rec., i., 103, 104, 166, 199, 114, 117, 118; Prentiss, i., 265-287, 341; Mem. Penn. H. S., i., 442-449; Chalmers's Ann., i., 644, 659, 659-666; Dixon, 219, 229; *ante*, 377.

- CH. VIII. Council asked Dongan to aid them with Mohawk warriors. To further this request, Governor Cranfield, with
 1684. Dudley and Shrimpton, of Massachusetts, visited New York.
 11 April. Dongan, however, would not irritate the Iroquois, especially as the Kennebec savages were "stout fellows, and feared not the Mohawks;" although he promised assistance if the Eastern Indians began hostilities. As Saint Castin was supposed to have instigated them, the governor again warned him and the French under his authority either to quit Pemaquid, or else swear allegiance to the King of England; promising not to interfere with their religion. Dongan's offer was considered by the French to be "the more dangerous," because of his "being a Catholic, and having a Jesuit and Priests along with him." Intending to visit Pemaquid, Dongan left its local government for the present in the hands of Captain Nicholas Manning, Sheriff John Allen, and Giles Goddard, its representative in the New York Assembly. Some of its inhabitants complained that the regulations of the previous November were "altogether arbitrary," and asked that the laws and tribunals of New York, although "over great distant," should be extended to them; but as the governor was now occupied with the Iroquois at Albany, the affairs of Pemaquid were postponed until he could himself go thither, "and in the mean time, the former orders to be observed."*

May. Dongan again warns Castin.
 21 April.
 23 April.
 9 July. Orders for Pemaquid.
 New York and Canada.

Up to this time the relations between New York and Canada had been, upon the whole, friendly. The sympathy between Charles the Second and Louis the Fourteenth was not to be disturbed by any questions about their colonies in North America. But the Duke of York was anxious to gain all the territory he could; and his deputy, Andros, had claimed, in 1677, that New York included all the country south of the Saint Lawrence and Lake Ontario. This bold claim could not, however, be admitted by Canada. French missionaries had planted Christianity in that region long before any other Europeans had seen it; and the governors of New France had maintained the sovereignty of their king by warlike expeditions, and by treaties with the

* Council Min., v., 66-69, 72, 91; Col. MSS., xxxi., 166, 181; xxxii., 11, 37; xxxiv., 17, 13 (il.), 2; Maine Hist. Soc. Coll., v., 79-72, 81-104, 263, 264; Mass. H. S. Coll., xxxv., 121, 122; Mass. Rec., v., 490; Col. Doc., III., 331, 335, 406, 450; ix., 263, 265, 266, 300, 318; 180-knap, I., 171, 172, 322; Williamson, I., 581; *ibid.*, 379.

savages, whom they overawed. But the appointments of De la Barre and of Dongan, to govern Canada and New York, brought to a crisis the question between those colonies, which could no longer be left undecided. CH. VIII.
1684.

Dongan's Indian policy was simply to execute and extend that of his predecessor, Andros. In his earliest letters the duke's governor told De la Barre that "nobody hath a greater desire to have a strict union with you, and good correspondence, than myself, who served long time in France, and was much obliged by the king and gentry of that country." At the same time, Dongan claimed that all the territory "south and southwest of the Lake of Canada," belonged to the King of England. De la Barre, however, would not recognize the Iroquois as British subjects. Some Senecas and Cayugas having plundered French canoes on their way to the Sioux, assaulted Fort Saint Louis, but were repulsed by De Baugy, the successor of Tonty. De la Barre therefore resolved to attack the Senecas. He detained their ambassador, Tegancourt, who came to Quebec to ratify the agreement made the autumn before; and directed the Jesuit missionaries, Millet at Oneida, and the two Lambervilles at Onondaga, to intrigue so as to divide the Iroquois confederates. The savage allies of the French in the West were also ordered to be brought down, and Fort Frontenac was re-enforced. Some Caghnawaga converts were sent with friendly messages to the Mohawks, Oneidas, and Onondagas. The King of France was solicited to obtain an order from the King of England, prohibiting Dongan from assisting the Iroquois. De la Barre also sent the Sieur Bourdon to New York with a letter, advising Dongan of his intention to attack the Senecas and Cayugas, but not the Mohawks and Oneidas, "neighbors of Albany;" the people of which, he asked, might be forbidden to sell arms and ammunition to the Iroquois, which proceeding "can alone intimidate them, and when they see the Christians united on this subject, they will show them more respect than they have done hitherto."

But Dongan answered that all the Iroquois nations were under the government of New York, as appeared by its records; that the duke's territories reached "as far as the River of Canada; and that if the French did not come

February.
Dongan's
Indian
policy.

23 March.
De la
Barre's
conduct.

10 June.
5 June.

15 June.

CH. VIII. south of the Saint Lawrence and Lake Ontario, "the people" of New York would not go north of them. "I am so heartily bent," he added, "to promote the quiet and tranquillity of this country and yours, that I intend forthwith to go myself to Albany, on purpose, and there send for the Indians, and require of them to do what is just, in order to a satisfaction to your pretences; if they will not, I shall not unjustly protect them."*

1684.
24 June.
4 July.
Dongan
firm for
New York.

Dongan's promised visit to Albany had become more important, because some Iroquois war parties, said to have been instigated by the French missionaries, had gone down the Susquehanna, and committed outrages on the northern settlements of Maryland and Virginia. These hostilities violated the compact made at Albany in August, 1682. So Francis, Lord Howard of Effingham, who had succeeded Lord Culpepper as governor of Virginia, thought it necessary to instigate Dongan to join him in a war against the Five Nations. Accompanied by two members of his council, Effingham accordingly came to New York, where he was entertained, and was admitted by the city corporation to be a freeman of the metropolis. Lord Effingham appears to have been the first British peer upon whom this distinction was conferred. At Dongan's invitation he sailed with him in midsummer up the glorious Hudson to Albany, where the five Iroquois cantons of New York had been summoned to meet their "Corlaer."†

26 Feby.
29 June.
Lord How-
ard of Ef-
fingham
visits New
York, and
is made a
freeman.

30 July.
Dongan
and Effing-
ham at
Albany.

Deputies from the Mohawks, Oneidas, Onondagas, and Cayugas soon assembled there. Those from the far-off Senecas had not yet come. Lord Effingham opened the conference in presence of Dongan and two of his counselors, and the magistrates of Albany, by recapitulating the broken promises and recent outrages of the Iroquois, and proposed to make "a new chain" between them and Virginia and Maryland, "to endure even to the world's end."‡

* Col. Doc., iii., 233, 237, 247, 303, 394, 395, 447, 448, 449, 451, 467; v., 561, 731; *ibid.* 206, 207, 226-228, 239, 240, 246, 247, 305; Doc. Hist., i., 67, 68, 73, 74, 262; Quebec MSS., iv., 246, 248, 251; Council Min., iii. (ib.), 157; v., 40, 89, 99; Colden, i., 41, 53, 60, 61, 62, 240, 250; Charlevoix, ii., 290, 307-313; La Hontan's Voyages, i., 2-28; Pinkerton, xiii., 254-270; N. Y. H. S. Coll., ii., 256, 287; Shea's Missions, 312, 313; *ante*, 366, 367, 377.

† Council Min., v., 40, 93; Col. MSS., xxxi., 157, 174; Col. Doc., iii., 224, 406, 440; *ibid.* 208, 228, 253; Colden, i., 44; *ibid.* 80; Smith, i., 69; Chalmers, i., 246, 587; Burckhardt, 277, 281, 282; Beverley, 77; Oldmixon, i., 323; Campbell, 353; Collins's Peerage, v., 290-291, 366, 377.

‡ In the first edition of Colden, p. 49, the date of this meeting is correctly given as the

Dongan now accomplished an important purpose. Taking advantage of the presence of his brother governor from Virginia, he obtained from the Iroquois their written submission to "the Great Sachem Charles, that lives on the other side of the great lake." This was recorded upon "two white dressed deer-skins," which were "to be sent to the great Sachem in England, that he may write on them, and put a great red seal to them." All the Susquehanna River above the "Washuta," or Wyalusing Falls, and all the rest of the land of the Iroquois, was thus confirmed to the Duke of York, and "fastened" to his government.*

CH. VIII.

1684.

30 July.
The Iro-
quois for-
mally sub-
mit to the
King of
England.

Susque-
hanna
lands.

At the same time, Counselor Van Cortlandt, whom the Massachusetts government appointed to be its agent, had an interview with the Mohawk sachems, and ratified "their former and happy friendship" by some small presents.†

30 July.
Massachu-
setts and
the Iro-
quois.

The next day the Mohawk sachem Odianne, who spoke for the four nations then represented, answered Lord Effingham that the Mohawks were free from blame, but that the Oneidas, Onondagas, and Cayugas had been "stupid, brutish, and void of understanding." In their name, however, he promised "*Assarigoa*," or "the big knife,"‡ that the covenant chain should thenceforth be kept "bright as silver" between Virginia and Maryland, and the Five Nations of New York, whose covenant house at Albany "must be kept clean." And then he offered to plant a tree of peace, "whose tops will reach the sun and its branches spread far abroad," so as to cover not only Virginia and Maryland, but Massachusetts, which Van Cortlandt represented. The Oneidas then gave beaver-skins to satisfy what they had promised Lord Baltimore two years before. An Onondaga followed for his own nation:—the Oneidas and Cayugas, asking to "lay hold of the chain," and that

31 July.

Lord Ef-
ingham
named
"*Assari-
goa*" by
the Iro-
quois.

thirtieth of July;" but the London editions of 1747, p. 47, and 1755, l. p. 45, erroneously print *thirteenth*. This error is followed by Burk, ii., 282; Bancroft, ii., 419; Dunlap, l., 136; and others.

* Col. Doc., iii., 347, 363, 394, 406, 417, 418, 505, 509, 515, 516; Colden (first ed.), 64, 65; ed. 1755, i., 53, 56; Doc. Hist., i., 261, 264, 266; Penn. Arch., i., 121-123; *ante*, 276.

† Mass. Rec., v., 461, 462; Colden (first ed.), 62; ed. 1755, l., 54; Col. Doc., iii., 394; *ante*, 309.

‡ The Mohawks, and Odianne their orator—mistaken, perhaps, by Arnout Cornelissen Viele, the Dutch interpreter—mistook Lord Howard's name for "Hewer," a Dutch word, which in English means a *hanger* or *cutlass*. This phonetic error made them call the Virginian governor "*Assarigoa*," which, in the Iroquois tongue, signifies "big knife." This term, "*Assarigoa*" (like that of "*Castor*" in New York), was long used by the New York savages to designate the governors of Virginia: Col. Doc., iii., 454; v., 679; viii., 149; ix., 706; Mass. Rec., v., 461; Colden, l., 53; ii., 48; Shea's ed., 57, 133.

CH. VIII. an axe might be buried for each of them. But the Mohawks said that no axe need be buried for them, because
 1684. they had never broken the first chain. Then the five axes—two for Maryland and Virginia, and three for the Oneidas, Onondagas, and Cayugas—“were buried in the south-east end of the court-yard, and the Indians threw the earth upon them. After which my Lord told them that since now a firm peace was concluded, we shall hereafter remain firm friends, and Virginia and Maryland will send once in two or three years to renew it, and some of our Indian Sachems shall come according to your desire to confirm it.” After this the Oneidas, Onondagas, and Cayugas “jointly sang the Peace Song, with demonstrations of much joy, and thanked the Governor of New York for his effectual mediation with the Governor of Virginia in their favour.”*

Axes buried at Albany.

The four nations then asked to have “the Duke of York’s arms put upon their castles,” which they supposed “would save them from the French.” So Dongan ordered Viele, the interpreter, to place them on “each castle, as far as Oneigra,” which was accordingly done. Viele was instructed to forbid the Five Nations, “as subjects of the Duke of York,” from holding any conference with the French without the governor’s permission; and the Senecas were offered four hundred cavalry and as many infantry if they should be attacked by the French. Dongan likewise asked the savages to call home those of their nations who had settled at Caghnawaga, near Montreal. The sachems adroitly replied, “Corlaer keeps a correspondence with Canada, and therefore he can prevail more than we can. Let Corlaer use his endeavours to draw our Indians home to their own country.”†

August. The Duke of York’s arms put on the Iroquois castles.

2 August. Speech of the Onondagas and Cayugas to Dongan and Effingham. The Onondagas and Cayugas now made “a remarkable speech” to the two English governors, whom they addressed as “Brethren,” at the Town Hall of Albany—“Your Sachem,” they said, “is a great Sachem, and we are but a small people. But when the English first came to Manhattan, Vir-

* Colden (first ed.), 55-61; ed. 1755, i., 49-52; ii., 80; Burk, i., 284-287; *ante*, 365, 565.

† Colden (first ed.), 61, 62, 63, 78 (ed. 1755), i., 53, 54, 65; Col. Doc., iii., 363, 396, 440, 477 v., 75, 76; ix., 242, 247, 251, 252, 257, 259, 261; Doc. Hist. i., 69, 76, 81, 87; Charlevoix, i., 515. Viele’s Journal of his expedition is in Col. MSS., xxxi., 159, and Albany MSS., xviii., 461-464.

ginia, and Maryland, they were but a small people, and we a great people. And finding they were good people, we gave them land, and treated them civilly. And now, since you are a great people and we but a small, you will protect us from the French; which, if you do not, we shall lose all our hunting and beavers. The French will have all the Beavers, and are angry with us for bringing any to you.”

CH. VIII.

1684.

Speech of
the Onon-
dagas and
Cayugas.

“We have put all our land and our selves under the protection of the great Duke of York, the brother of your great Sachem;—We have given the Susquehanna River, which we won with the sword, to this Government, and desire that it may be a branch of that great tree that grows here, whose top reaches to the sun, under whose branches we shall shelter ourselves from the French, or any other people; And our fire burns in your houses, and your fire burns with us; And we desire that it always may be so, and will not that any of your Penn's people shall settle upon the Susquehanna River; for our young folks or soldiers are like wolves in the woods, as you Sachem of Virginia know, we having no other land to leave to our wives and children.”

“We have put ourselves under the Great Sachem Charles that lives over the Great Lake, and we do give you two white dres't deer-skins, to be sent to the Great Sachem Charles, that he may write upon them, and put a great red seale to them, that we do put the Susquehanna River, above the Washinta, or Falls, and all the rest of our land, under the great Duke of York, and to nobody else. Our Brethren, his servants, were as fathers to our wives and children, and did give us bread when we were in need of it; and we will neither join ourselves nor our land to any other government than this: And this Proposition we desire that Corlaer, the Governor, may send over to your Great Sachem Charles that dwells over the Great Lake, with this belt of Wampum-pegg, and another smaller belt for the Duke of York his brother; and we give a Beaver to the Corlaer to send over this Proposition.”

“And you, Great Man of Virginia, We let you know that Great Penn did speak to us here in Corlaer's house, by his Agents, and desired to buy the Susquehanna River. But we would not hearken to him, nor come under his

CH. VIII. government; and therefore desire you to be witness of
 1684 what we now do, and that we have already done. And
 let your friend that lives over the Great Lake know that
 we are a free people, uniting ourselves to what Sachem we
 please; and do give you one beaver skin.*"

5 August.
 Speech of
 the Senecas to Don-
 gan and
 Effingham.

Three days after this speech the Seneca delegates reached Albany, and had an interview with the Governors of New York and Virginia. They asked Lord Effingham to include them in the "new chain" he had made with the other four nations, who, "from the Mohawks' country to the Cayugas, have delivered up the Susquehanna River and all that country to Corlaer's government. We confirm what they have done by giving this belt." And then, referring to their relations with Canada, they said that its governor was to blame; he furnished arms to their enemies, and enticed them to bring beavers to Montreal, which otherwise the Senecas would have brought to their own "brethren" at Albany. Omontio called them his "children," and talked of protecting them; but at the same time he "knocked them on the head," by aiding their enemies. "Corlaer," they added, "hear what we say. We thank you for the Duke's Arms, which you have given us to be put on our castles, as a defence to them. You command them. Have we wandered out of the way, as the Governor of Canada says? We do not threaten him with war, as he threatens us. What shall we do? Shall we run away, or shall we sit still in our houses?"†

5 July.
 Dongan's
 notice to
 De la
 Barre.

Dongan had, meanwhile, notified De la Barre that the Senecas were under the government of New York; that "the Duke's territories" must not be invaded; and that the differences between the French in Canada and the New York Iroquois ought to be settled by the "masters in Europe, to whom we should properly refer." And he added, "I have ordered the coats of arms of his Royal Highness the Duke of York, to be put up in the Indian castles, which may dissuade you from acting any thing that may create a misunderstanding between us." De la Barre at

* See copy translated and revised by Secretary Robert Livingston, of this "Proposition" or "Oration," in Col. Doc., III., 347, 417, 418, 508, 509; Doc. Hist., I., 263, 264, 265. O'Callahan, in his first edition, 63-65, and in the ed. of 1755, I., 54-56, varies the wording.

† Golden (first ed.), 63-68, 74-77 (ed. 1755), I., 52-58, 62-64; Col. Doc., III., 508, 509; Doc. Hist., I., 267, 268.

once dispatched the *Sieur de Salvaye* to Albany with an answer to Dongan, that not the governors of New York and Canada, but only the kings of England and France, could decide "about pretensions to the possession of lands." Yet, although the Cayugas and Senecas had claimed the Governor of New York as their "intercessor," those "robbers, assassins, and traitors" would be attacked by the French toward the end of August. De la Barre's messenger came to Albany just as the Seneca delegates reached there, and was present at the conference with the two English governors. Dongan quickly sent him back to Canada with a letter to De la Barre, that the French claim to the Iroquois country by twenty-five years' possession, and sending Jesuit missionaries, was "very slender;" that he wished a "good correspondence;" but that as to all territorial claims, he had referred them, "with an entire submission, unto England."*

Ch. VIII.

1684.

15 July.

De la

Barre's

answer.

5 August.

August.

Dongan's

reply.

Accordingly, on returning to the metropolis, Dongan sent Baxter, the commandant at Albany, to London, with full accounts of what had just been done. Among other events which happened during the governor's absence, the Minisink sachems had appeared before the council, and declared themselves under the government of New York. The duke's commissioners approved of Dongan's doings with the Indians, "because they tend to the continuing that good correspondence which hath hitherto been held with them, and which is so necessary for the preservation of your peltry trade." But they cautioned him "to act so prudently" toward his European neighbors as to give them "no just cause of complaint."†

27 August.

Dispatches

to London.

28 July.

1 November.

The duke's

orders.

In spite of Dongan, De la Barre persisted to attack the Senecas, and went to Fort Frontenac with all the force of Canada, consisting of some twelve hundred men, who were pompously reviewed. On his way up the Saint Lawrence, the governor was joined by James Lamberville, who brought discouraging letters from his brother at Onondaga, and by Millet, who now abandoned his mission at Oneida. Lamberville was sent back with friendly messages to the Onondagas, and was followed by Charles le

14 August.

De la

Barre's ex-

pedition

against the

Iroquois.

10-18 July.

10 August.

16 Aug.

* Col. Doc., iii., 442-452, 473; ix., 242; Doc. Hist., i., 69-72; Col. MSS., xxvi., 157; Col. den., 74; i., 62; Smith, i., 70.

† Council Min., v., 93, 94; Col. Doc., iii., 351, 352.

CH. VIII. Moyne, who invited the Iroquois to meet Onnontio at "La
 1684. Famine," or the Salmon River, and took back Teganogouat,
 the Seneca ambassador, whom De la Barre had arrested at
 Quebec. A detachment was also sent forward from Fort
 Frontenac, to encamp at La Famine, so as to be "nearer
 the enemy," and be able, by hunting and fishing, to refresh
 the rest of the army.*

At Onondaga Le Moyne met Viele, whom Dongan had
 sent on horseback from Albany to warn the Five Nations
 not to speak to the Canadians without his permission.
 17 Aug. Dongan's messenger succeeded very well with the Mo-
 hawks at Tionnontoguen, and with the Oneidas, "who
 promised that they would not go near the French Govern-
 or." But, when Viele came to Onondaga, he was confront-
 ed, in a council of that nation and the Oneidas and Cayu-
 gas, by three French agents, much more able than himself.
 These were, De la Barre's messenger, Charles le Moyne, or
 Acoossen, "the Partridge," with the Jesuit Father John de
 Lamberville—whom the Iroquois had named *Tciorensere*,
 which in their picturesque language meant "the dawning
 of the day"—and his younger brother James, whom they
 called *Onnissantie*. But Dongan's Dutch-English emis-
 sary did his work badly. In the Iroquois council, Viele,
 whom they called "Arie," spoke "like a master" to the
 American owners of New York, and told them that they
 belonged to the King of England and the Duke of York;
 that their council-fires were lighted at Albany; and that
 they must not talk with the Governor of Canada. This
 discourse offended the Onondagas, who replied that they
 would go and meet Onnontio. "You say we are sub-
 jects of the King of England and the Duke of York, but
 we say we are Brethren. We must take care of Ourselves.
 Those arms fixed upon the post without the gate cannot
 defend us against the arms of La Barre." Flattery and
 presents from Canada had meanwhile gained over one of
 the Onondaga chiefs named Outreouati, or Hoteouati, or

Viele, or
 "Arie,"
 at the On-
 ondaga
 council.

* Col. Dec., iii., 431, 445, 467, 473; ix., 172, 174, 234-236, 241, 242, 252-256; Dec. Hist., i., 74, 75, 83-85; Charlevoix, ii., 313, 314, 315; Shea's Charlevoix, iii., 248-251; Golden, i., 64, 181; La Montan, i., 29-43; Shea's Missions, 277, 313; *ante*, 395. The Indian name of *La Famine*, now known as Salmon River, in Oswego County, was "Gainhougné" or "Kai-hohage," where Frontenac had been invited to meet the Iroquois in 1682: Col. Dec., iii., 431, 445; ix., 172, 174, 259; Golden, i., 64, 65, 181; *ante*, 264. In Dec. Hist., i., 63, it is incorrectly called Hungry Bay, in Jefferson County.

Haaskouaun, whom the French called "*La Grande Gueule*," because he had "the strongest head and loudest voice among the Iroquois." A few words "whispered in his ears" by the French agents made the Indian orator use "high words" against Dongan's messenger. "Learn," said he, "that the Onondaga places himself between Onnontio his father, and the Seneca his brother, to hinder them from fighting. I should have thought that Corlaer would have placed himself behind me, and cried 'Courage, Onondaga, do not let the father and the son kill each other.' I am very much surprised that his envoy talks to me quite otherwise. * * * I have two arms, one of which I extend to Montreal, to support there the tree of peace; the other is on the head of Corlaer, who for a long time has been my brother. Onnontio has been for ten years my father, and Corlaer for a long time my brother; and this, because I have willed it so. Neither the one nor the other is my master. He who made the world has given me the land which I occupy. I am free. I have respect for both. But nobody has the right to command me; and nobody should take it ill that I use every means to prevent the land from being troubled. I cannot any longer put off going to my father, since he has taken the trouble to come to my gate, and has only reasonable propositions to make to me." But, with "Iroquois cunning," the Onondagas asked Le Moyne to have their conference with De la Barre postponed until they could obtain Dongan's permission. This, however, was declined, and arrangements were quickly made for an embassy to meet Onnontio at La Famine.*

The news was soon carried to De la Barre, at Fort Frontenac, where affairs were now bad enough. Fever had reduced himself and his forces, both there and at La Famine, that it was out of the question to attack the Senecas. The Western auxiliaries assembled at Niagara were ordered to return home, and De la Barre hastened across the lake to Salmon River. Some of the sick were sent back to

CE. VIII.

1684.

Grande
Gueule
opposes
Corlaer.The Iro-
quois free.De la
Barre at
Fort Fron-
tenac.

* Col. Doc., iv., 122; ix., 155, 242, 243, 251, 257, 258, 286; Col. MSS., xxxi., 150; Albany Rec., xviii., 461; Doc. Hist., i., 76, 87, 88; Charlevoix, ii., 315-317, 370, 371; Shea's Charlevoix, iii., 351-353; Colden, 78-81; i., 65-67; La Hontan, i., 46, 125; Bancroft, ii., 421; *ante*, 364, 396, 398. As to the meaning of the Indian names of Lauberville and Millet, compare Shea's Colden, 79, 80, 135, and Catholic Missions, 277; Colden (ed. 1755), i., 66, 114; Col. Doc., iii., 453; ix., 665; Rel. 1672, 12, 21; *ante*, 178.

CH. VIII.

1684.
3 Septem.
and at La
Famine.

4 Septem.
Conference
at La Fa-
mine.

Bruyas's
speech for
De la
Barre.

Grande
Gueule's
reply to De
la Barre.

Montreal, and messengers were dispatched to hurry forward the Indian delegation from Onondaga. Le Moyne, with nine Onondagas, three Oneidas, and two Cayugas, headed by Grande Gueule, and the younger Garacontie, soon came to La Famine. The French regaled them with abundant lake trout; and a conference was appointed for the next day. De la Barre was then sitting in an arm-chair, with his interpreters and officers on each side, while the Iroquois sat on the ground, "in the Oriental fashion," facing the French. Bruyas spoke for De la Barre; Outreauati, or Grande Gueule, and Garacontie for the Iroquois; and the Seneca Tegancourt was also present. In a bold harangue, Bruyas, on the part of Onnontio, charged the New York Iroquois with robbing and abusing the French traders among the Illinois and Miamis, and with introducing the English into the lakes belonging to the King of France; and threatened to destroy the villages of the Five Nations if they did not give satisfaction to the French. Amazed that the "soft words" of Lamberville and Le Moyne at Onondaga were turned into such threats at Salmon River, Grande Gueule, who had all the while kept his eye fixed on his calumet, or pipe of peace, arose, and, after five or six turns around the French and Indian circle, replied with telling sarcasm: "Onnontio, I honor you; but the Five Nations have not yet perished. I congratulate you that you have buried the murderous axe which has been so often red with French blood. I see you dreaming in a camp of sick men, whom the Great Spirit has allowed to live. We have introduced the English into our Lakes to trade with the Ottawas and Hurons, just as the Algonquins conducted the French to our Five Villages to carry on a commerce which the English say belongs to them. But we are born free. We no more depend on Onnontio than on Corlaer. We can go where we will, to take there what we think proper, and buy and sell as we please. We have attacked the Illinois and Miamis, because they cut down the trees of Peace on our frontiers. When we buried the axe in the middle of the Fort at Cataracouy, in the presence of your predecessor, we thought that the post would be a trading place, and not a garrison. Take care that the tree of peace planted there be not

choked by a crowd of your soldiers. Our warriors will not dig up the hatchet until their Brothers, Onnontio or Corlaer, shall undertake to attack the countries which the Great Spirit has allotted to our ancestors." On hearing this speech, De la Barre retired to his tent, and began to bluster. But in the afternoon he talked again for three hours with the savages, and then agreed to a peace, of which the main points were that his troops were to return at once to Quebec, and that, in fighting the Illinois, the Iroquois were not to hurt the French. On this basis a formal treaty was made. De la Barre hastened back to Canada, whence the best report that he could send to France was, that his campaign had "not been bloody." Yet, with characteristic folly, he declared that affairs in Europe alone prevented him from marching against Dongan, "who fain would assume to be sovereign Lord of the whole of North America, south of the River Saint Lawrence."* CH. VIII.
1684.

In later dispatches De la Barre laid the blame of his failure upon Dongan, who was "filled with chimerical pretensions," which ought to be stopped by orders from the King of England, or by force in America. But De Meulles, the intendant, declared that the governor had been fooled in the "most shameful manner" by a sycophantic buffoon. The Chevalier Hector de Callières, the newly-arrived governor of Montreal, also wrote that "the most intelligent in these parts believe this peace between us and the Iroquois uncertain, until they be obliged to leave the Illinois undisturbed."† 5 Septem.
De la Barre's
treaty at
La Pami-
nne.
7 October.

13 Novem.
14 Novem.
Dongan's
"pretensions."

10 Oct.

9 Novem.
Hector de
Callières's
opinion.

La Salle had meanwhile laid his case before the king, and, supported by Frontenac and Zenobe, had convinced Louis that the discovery of the Valley of the Mississippi was not "very useless." So orders were sent to put La Salle again in possession of Fort Frontenac; and he was charged 10 April.

* Col. Doc., iii., 473; ix., 220-232, 234-239, 242-248, 259; Doc. Hist., i., 76-82, 89; La Hontan (ed. 1703), i., 43-57; Pinkerton, xiii., 273-278; La Potherie, ii., 151-165; iii., 57; Charlevoix, ii., 317-319; Colden, 81-99; iv., 67-73; Smith, i., 71-77; *ante*, 299. La Hontan Latinized "Grande Gueule" into *Grangula*; and Colden, in 1727, or his printer Bradford, transformed La Hontan's "Grangula" into *Garanqula*. Colden also took the liberty of altering the well-known *Onnontio* to "Yennendio." Charlevoix, who charges La Hontan with irreligion, spite, and invention, also errs in saying that Haaskouaun, or "Grande Gueule," was a Seneca, when he was an Onondaga; and that "La Famine" got its name from the distress of De la Barre's troops in 1684, when it was so known in 1682: compare Charlevoix, ii., 319, 371; iii., 172; vii., 408, 499; Col. Doc., ix., 172, 174; *ante*, 364.

† Col. Doc., ix., 222, 244-264; Doc. Hist., i., 79-84; Charlevoix, ii., 318, 321; La Hontan, i., 57.

Co. VIII. to begin the colonization of "*Louisiana*" under the French government. La Salle's commission from Louis made him commander "from Fort Saint Louis on the River of the Illinois, unto New Biscay."*

1684.
Louisiana.
14 April.

10 April. De la Barre was also instructed to enforce the ordinances, to punish all "vagabond and loafing Frenchmen" who should, without permission, emigrate from Canada "to Orange, Manatte, and other places belonging to the English and Dutch." But he might attack the Iroquois, and Louis gave him this extraordinary order: "To diminish as much as possible the number of the Iroquois, and moreover as these savages, who are very strong and robust,

"Loafing"
French-
men in
New York.

31 July. will serve usefully in my galleys, I will that you do every thing in your power to make a great number of them prisoners of war, and have them embarked by every opportunity that shall offer in order that they be conveyed to France." These instructions were a week in De la Barre's hands, when, at Salmon River, instead of making Iroquois prisoners, he was glad to escape from the sarcastic eloquence of Grande Gueule. But they led his successor into one of the worst errors ever committed by a Canadian governor. The king also directed Barillon, his ambassador at London, to ask the Duke of York to prohibit Dongan from aiding the Iroquois, and order him to act in concert with De la Barre, "to the common advantage of both nations." No such orders, however, were, or could be given at Whitehall, where Dongan's policy was cautiously but fully sustained.†

Louis or-
ders robust
Iroquois to
be sent to
his galleys.

31 July. On his return from Salmon River, Garakontié hastened to Albany with news of De la Barre's wonderful treaty with the Five Nations. Dongan had gone down to New York; but the commissioners at Albany rebuked the savages for visiting Onontio without the leave of Corlaer. "We are sorry and ashamed," answered the Onondagas, "for now we understand that the Governor of Canada is not so great a man as the English King that lives on the other side of the great water; and we are vexed for hav-

1 Novem.
4 Decem.

September. The Iro-
quois not
treat with
Onontio
but by
leave of
Corlaer.

* Col. Doc., ix., 201, 213-223, 225, 233, 411; La Hontan, i., 7, 8; Charlevoix, ii., 287, 324, 426; iii., 2; Shea's Discovery, 185-188, 267; Sparks's La Salle, 109-113; Hist. Coll. Lond., i., 25-34, 37-41; Garneau, i., 245, 246; *ante*, 378.

† Col. Doc., iii., 351, 352, 353; v., 131; ix., 200, 202, 225, 232-234, 248, 250; Trac. Hist., i., 72, 73; Charlevoix, ii., 329, 331; La Hontan, i., 57, 63, 68; Collier, i., 249, 250; *ante*, 302.

ing given the Governor of Canada so many fine wampum belts."*

The postponed affairs of Pemaquid were now resumed. The block-house at Merrymeeting was ordered to be immediately raised and garrisoned, and the duke's quit-rents "in the County of Cornwall" to be collected. Giles Goddard, the representative of the county in the New York Assembly, was also made a captain of its militia, and commissioned to be its surveyor of land.†

Some of the inhabitants of Esopus, in the new "County of Ulster," having petitioned the governor for the right to choose their own town officers, were bound over to keep the peace, because they were held to have committed "a riot," according to English law. Bail was given, and the petitioners were fined. But upon acknowledging that they had been "ill advised," they were relieved.‡

The magistrates at Southold, having fined Nathaniel Baker, of Easthampton, "only for bringing home an ox of his, on the Sunday," were ordered to show cause before the governor, and, on doing so, were "referred to law." The house of the Lutheran minister Arensius having been assessed by the Corporation of New York as that of "a private person," the governor and council declared their opinion that it should be as free and exempted from taxes as those of the Dutch and French ministers.§

The Reverend Josias Clarke, who had been commissioned by the duke to succeed Gordon as chaplain to the garrison, was engaged in a humane and interesting act soon after he reached his post. Among the passengers who had come over in the ship *Seaflower*, from Scotland, was David Jamison, who had been liberally educated, but held opinions which led him to join a company of enthusiasts called "Sweet Singers," who denounced the creeds of Christians, and the Protestant version of the Bible. Having been examined before the Duke of York, at Edinburgh, Jamison was ordered to be sent to America; and Doctor George Lockhart, one of the owners of the *Seaflower*, in which he came, was authorized to sell him, as a "Redemptioner," to

* Col. Doc., ix., 250, 261; Doc. Hist., I., 89, 91; Colden (first ed.), 90.

† Col. MSS., xxxiii., 40, 48, 61; xxxiv., 17, 18, 32 (d), 2; Maine H. S. Coll., v., 164-167; *ante*, 394.

‡ Council Min., v., 48, 49; Col. MSS., xxxi., 115, 149, 180.

§ Doc. Hist., II., 213, 246; Council Min., v., 81; Col. MSS., xxxi., 98, 173; *ante*, 273.

1684.
Pemaquid.
8 Septem.

12 Septem.

22 October.

18 Febr'y.
Esopus
rioters.

6 June.

6 Septem.

Easthampton magistrates.

5 May.

Arensus.

6 Septem.

16 June.
Josias
Clarke
chaplain.

Sweet
Singers.

17 May
David
Jamison.

CH. VIII. any one who would pay the cost of his passage. With the impulses of a scholar, Clarke at once paid the demand, which the "chief men of the place" quickly reimbursed to the duke's liberal Episcopal chaplain; and the exiled Scotch "Sweet Singer" was set to teach a Latin school in New York, "which he attended some time, with great industry and success."*

1684.
August.

Jamison
teaches a
Latin
school in
New York.

13 October.
Common
Council of
New York.

At the usual time, new aldermen and common councilmen were chosen for the six wards of the metropolis, according to the "form and method" agreed to by Dongan the autumn before. The governor, in whose hands the appointment of mayor rested, made a grateful concession to the old Dutch feeling by allowing seven persons to be named to him, from which he chose Gabriel Minvielle to be the new mayor.†

14 October.

21 October
to
29 October.
Second As-
sembly of
the prov-
ince.

The second meeting of the New York Assembly was held, according to adjournment, and Matthias Nicolls continued to be its speaker. But, in place of Secretary Spragg, Robert Hammond was appointed clerk. Thirty-one laws were passed by the Assembly and assented to by the governor. Among them was an act to confirm previous judgments, and to abolish the General Court of Assizes. The Revenue Bill was also amended, in conformity to the "hint" of the duke's commissioners. An act was also passed "for the encouragement of Trade and Navigation within this Province," which laid a duty of ten per cent. upon all goods imported into New York from any other colony where such goods were not produced. The object of this law was to prevent the "refractory" people of Southold and other towns at the east of Long Island, who were "very loath to have any commerce" with the metropolis, from "carrying their oil to Boston, and bringing goods from thence into this Government."‡

Provincial
Navigation
Law.

* Col. Doc., iii., 352, 415; iv., 400, 429, 442, 823; v., 473; Doc. Hist., ii., 14; iii., 73, 245; Deeds, viii., 31; Col. MSS., xxxi., 147; xxxii., 29, 42; xxxiii., 75, 90, 304; xxxiv. (ii.), 23-33; Barnett, i., 526; Wedrow, iii., 348-355; iv., 85; Crookshaak, ii., 135, 272; Whitehead's E. J. Contributions, 53-40, 567; Secret Services, Ch. II. and Jac. II., 88; ante, 374.

† Col. MSS., xxxiii., 57, 65; Min. of Com. Council, i., 267, 270; Val. Man., 1853, 331, 388; ante, 390. There is much curious and valuable information, which I have not the space to reproduce, in the N. Y. Common Council and Surrogate's Records; among other things, a report about Fort James: compare Val. Man., 1855, 551-553; 1864, 636, 637; Wills, iv., 1-15; Col. Doc., 390, 391; Col. MSS., xxxiii., 15; xxxiv., i., 23, 24.

‡ Council Journal, i., Int. xii., xiii.; Wood, 90, 101; Thompson, i., 162; Dairys Sketch, 31; Col. Doc., iii., 341, 349, 355, 589, 591, 599, 492, 797; v., 5; Coun. Min., v., 51, 52, 195, 198; ante, 351.

The Court of Assizes having "ceased and determined," was replaced by the Court of Oyer and Terminer, of which Nicolls and Palmer had been appointed judges. After his dismissal from the government of New Jersey, Rudyard came to New York, and, having been a London lawyer, was commissioned by Dongan "to act on all occasions" as the duke's attorney general. It was also ordered that a Court of Chancery, to consist of the governor and his council, should be held on the first Thursday of every second month in the year, and Dongan appointed John Spragg to be master of the rolls, and John Knight and Recorder James Graham to be its clerks. Under his Vice-Admiralty Commission from the Lord High Admiral in English Plantations, the governor appointed Justice Palmer, of the Oyer and Terminer, to be judge, in place of Collector Santen, Secretary Spragg, register, and John Cavalier, marshal. Dongan, however, following the practice of his predecessors, acted as surrogate, before whom wills made in the province were proved.*

Judge Palmer was soon afterward sworn a counselor. Jan Jansen Bleecker, and Johannes Wendell, who had long been magistrates, were also appointed captains of infantry at Albany, and Peter Schuyler lieutenant of horse. The people at the east of Long Island continued to give the governor much trouble; and he was obliged to tell them that they would "neither be easy themselves, nor suffer others to be so." In spite of the Navigation Law of their own province, they would smuggle and carry on illicit trade with Boston. Dongan and his council were therefore forced to determine that "the inhabitants of Easthampton having refused to sell their oil and commodities, unless Boston money was given for it, or pieces of eight equivalent to them, and several abuses committed to the prejudice of His Majesty's Customs' revenue being informed of, Ordered that a Proclamation be sent, prohibiting all

Cn. VIII.

1684.

Court of
Oyer and
Terminer.
August.
Rudyard.16 Febr'y.
Court of
Chancery.

29 Decem.

30 May.
Admiralty.

Surrogate.

1 Decem.

15 Decem.

24 Decem.
Long Isl-
and trou-
blesome.

1685.

3 April.

* Col. Doc., iii., 351, 352, 359, 412, 414; iv., 547; Council Min., v., 47, 48, 49, 53, 142; Col. MSS., xxxii., 32; xxxiii., 77, 79, 216; xxxiv., 3, 12, 13, 14, 21; Commissions, i., 61; N. Y. Surrogate's Office, Wills, i., ii.; Wood's Long Island, 90, 101, 102; Whitehead's E. Jersey, 93, 124, 125; Leaming and Spicer, 137; Daly's Sketch, 31, 32, 51, 52; Revised Laws, 1813, ii., App. ix.; ante, 386, 392. Judge Daly, in his Sketch, p. 30, 51, does not appear to have known that the New York Courts of Admiralty were appointed by the several governors, under their separate commissions from the Duke of York as Lord High Admiral of the English Plantations: ante, 319. When James became king, he gave his governor a larger commission: Col. Doc., iii., 359, 340; post, 452.

Co. VIII. vessels to come and trade at any port but the City of New York."²²

1685.
2 Febr'y. The Corporation of the City of New York now voted that their governor should be "treated with," to confirm to it all the vacant land in and about the metropolis, as far as low-water-mark, and all the other franchises which it claimed. Dongan and his council soon afterward charged the Mayor of New York "not to give freedom to any but such as are qualified by Act of Assembly, and will give security to give 'scott and lott' for three years." This was in conformity with the ancient Dutch practice, which maintained that all traders must keep "fire and light" at home, and made the "hearth-stone" the only test of a multifarious citizenship.[†]

23 March.
Corporation of
New York
City.

Staten
Island.

The proprietors of East Jersey, relying on the Duke of York's release to them of the 14th of March, 1683, had meanwhile revived the claim to Staten Island, which Lady Carteret had made in 1681. Their agents "dispersed printed papers" to the disturbance of the inhabitants and landowners there, so that even Judge Palmer thought it prudent to secure his own title by obtaining additional patents from the Jersey proprietors. Dongan is said to have done the same. Yet it was notorious that, after that island had been "adjudged to belong to New York" in 1668, it had been bought for the duke by Lovelace in April, 1670; and that in March, 1683, the East Jersey Assembly had conceded it to New York, by not including the island in either of the four counties then established. With full knowledge of the duke's release, Dongan had approved the law of November, 1683, which declared the New York County of Richmond to contain "all Staten Island" and the adjoining islands.

1684.
9 Febr'y. Samuel Winder, the former prosecutor of Collector Dyer, was accordingly commissioned to be clerk and register of that county, and directed to collect the quit-rents due within it; and Philip Wells, the surveyor general of the province, was ordered to lay out all the lands on Staten Island, according to each owner's patent. Thomas Love-

23 Febr'y.
Officers'
duties.

* Council Min., v., 100, 103, 108; Col. MSS., xxxiii., 81, 97, 103.

† Min. of Com. Coun., i., 272; Council Min., v., 107; Col. MSS., xxxiii., 104; *ant.*, vol. i., 623, 694, 749; ii., 391. Hoffman does not notice, in his Treatise, this application of the Common Council of the city.

lace, the sheriff of Staten Island, was afterward directed to summon all persons not having land titles before the governor and council.* The metropolitan memorial in March, 1684, praying the duke to reannex East Jersey, appears to have brought the question to a crisis. "Because of some rumors I have met with," replied James to Dongan, "as if some of your neighbors, under colour of grants from myself, or upon some other groundless pretences, endeavour all they can to obstruct the trade of New York and Albany, I think it fit hereby to recommend that to you in an especial manner, that you may not suffer any innovation within that river." The next day, Werden added, with reference to a proposed sale of Billop's plantation on Staten Island, opposite Amboy, that Dongan should "endeavor to procure some inhabitant of New York rather to buy it, than suffer any of those of New Jersey to doe it; but whosoever buys land in that Island, it being under your government, he must be liable, as well as others, to the laws thereof." Not long afterward, when the claim of the East Jersey proprietors had been reported, Werden wrote more distinctly, "Staten Island, without doubt, belongs to the Duke; for if Sir George Carteret had had right to it, that would have been long since determined, and those who broach such fancies as may disturb the quiet of possessions in that Island are certainly very injurious to the Duke, and we think have no colour for such pretences." This was written by the duke's secretary, who witnessed his release to the proprietors of East New Jersey, and knew its true intent.†

But when Perth, and Mackenzie, and Drummond—the Scotch proprietors of East Jersey, and the personal friends of the duke—heard that Dongan had proposed that their colony should be brought again under the government of New York, they spoke to James, whom they found to be "verie just, and to abhor the thoughts of allowing

Cu. VIII.

1684.

1 Decem.

22 August.

No "innovation" on the Hudson River to be suffered.

27 August.

1 Novem.
Staten Isl.
and "without doubt" belongs to New York.

* Col. MSS., xxxiii., 69; xxxiv., 11. On 27 August, 1684, Elizabeth, widow of the late Governor Philip Carteret, petitioned Dongan for some meadow-land on the island, formerly granted to her husband by the New York governors: Col. MSS., xxxi., 164; Hist. Mag., x., 297-299; *ante*, 159, 166, 359, 369, 371, 386.

† Col. Doc., iii., 348, 349, 359, 362, 364; Col. MSS., xxxiii., 69; xxxiv., 14; Council Min., v., 102; Chalmers's Ann., i., 621, 628; Leaming and Spicer, 141-150, 229, 687; Whitehead's East Jersey, 124, 216, 217; Contributions, 14; Eastern Boundary, 39, 43, 44, 49, 50; Index N. J. Col. Doc., 115; *ante*, 3-2.

CH. VIII. any thing to be done contrary to what he hath past under his hand and seall." They also discoursed with his commissioners at London, whom they supposed they had con-

1684. vinced "of the reasons which induce us not to yield to such a proposall." Accordingly, they wrote from Edinburgh a very angry letter" to Dongan, in which they desired him to "lay aside all thoughts of attempting what may reflect upon the justice or honour of your master, or may give us just reason to complain." Dongan, "mightily surprized" at this letter, replied that he had only done his duty in representing to the duke "the great inconveniencies of having

22 August.
Perth's
letter to
Dongan.

1685. two distinct governments upon one River, yours having the advantage of being some leagues nearer the sea than we are. Your agents have dispersed printed papers, to the disturbance of the inhabitants of Staten Island. It hath been in the possession of his Royal Highness above twenty years (except the little time the Dutch had it), purchased by Governor Lovelace from the Indians in the time of Sir George Carteret, without any pretences, 'till your agents made claime to it." At the same time, Dongan wrote to Werden, that if vessels were allowed to come to Amboy without entering at New York, it would be impossible to prevent smuggling into Staten Island. "The Quakers making continual pretences to Staten Island disturbs the people. More than two hundred families are settled on it. And in case his Royal Highness cannot retrieve East Jersey, it will doe well to secure Hudson's River, and take away all claim to Staten Island."*

18 Feb'y.
Dongan
complains
of New
Jersey.

1684. If New York was troubled about New Jersey, she was quieted about Connecticut. Under the agreement of November, 1683, Dongan appointed commissioners to meet those of Connecticut, to lay out a boundary-line between the two colonies. The joint commissioners accordingly met at Stamford, and went to the Byram River. From there they surveyed the proper courses, of which they made a map and report. These having been approved by the council of New York, Dongan met Treat at Milford. The two governors there signed a ratification, which was order-

8 May.
26 Septem.

10 October.
Connecti-
cut bound-
ary ar-
ranged.

1685.
23 Feb'y.

* Col. Doc., iii., 348, 353, 354, 356; Chalmers's Ann., i., 627, 628, 629; Whitehead's N. J., 214-217; Clarke's James II., i., 761. Chalmers conjectures that Dongan's "spirited answer" to Lord Perth "probably contributed to procure his recall" in 1688. This may be so; but the real reasons will be afterward explained; *post*, 501.

ed to be recorded in both colonies, and which was confirmed in England fifteen years afterward.*

CH. VIII.

While at Milford, Dongan had conferred with Treat about establishing a regular post between New York and the neighboring British colonies as far eastward as Boston. The project had been started by Lovelace in 1673, but, owing to the Dutch war and other causes, it fell through, although Massachusetts afterward appointed a local postmaster at Boston. Dongan had proposed to set up post-houses along the coast from Carolina to Nova Scotia; and Werden instructed him to offer the privilege for a term of years to any one who would farm it from the duke, whose title to the profits of the English post-office was held to include all the British plantations. The governor, on his return from Connecticut, accordingly ordained in the New York Council, "that for the better correspondence between the colonies of America, a post-office be established; and that the rates for riding post be per mile three pence; for every single letter, not above one hundred miles, three pence; if more, proportionably."†

1685.

Postal affairs.

1684.

27 August.

1685.

2 March. Colonial Post-office established by New York.

Although the eastern boundary of New York was now arranged with Connecticut, her frontier toward Massachusetts remained unsettled. That colony had insisted that her territory extended westward beyond the Hudson River. The second grant of the king to the Duke of York in 1674, by which he again gave him all the lands between the Hudson and the Connecticut Rivers, was disregarded by Massachusetts; and Dongan notified Werden that he expected a dispute with that colony about them, it "pretending all along to the south sea, as Connecticut did."‡ The governor accordingly commissioned Clerk West to claim, on behalf of the duke, Westfield, Northampton, Deerfield, and other towns, which Massachusetts had organized within his territory of New York, on the west side of the Connecticut River. But proceedings under this commission were made unnecessary by what had just been done in England.†

Massachusetts boundary.

13 Feby.

Claims of New York on the Connecticut River.

* Council Min., v., 243, 244; Col. Doc., iii., 354; iv., 628-630; Col. Rec. Conn., iii., 142, 176, 237-239; Trumbull, i., 365, 366, 401; New York Boundary Report, Sen. Doc., 1857, No. 165, 7, 9, 45, 113, 114; Smith, i., 287; *ante*, 389.

† Col. Doc., iii., 349, 350, 355, 356; Council Min., v., 166; Val. Man., 1857, 542, 543; Mass. Rec., v., 147, 148, 273; Palfrey, iii., 363; Rapin, ii., 655; Anderson, ii., 475; *ante*, 4, 196-198.

‡ Col. Doc., iii., 112, 240, 256; vi., 568; vii., 364, 368; viii., 449; Mass. Rec., iv. (d.), 205, 206; (ii.), 548, 553, 579; C. Welley, 70, *note*; *ante*, 188.

CAR. VIII.

1653.

The Rye-
House Plot.

21 July.

28 Septem.
Jeffreys
chief jus-
tice of En-
gland.

In the mean time, political convulsions, which quickly affected the British colonies in America, had disturbed their motherland. A conspiracy against the lives of her sovereign and his heir was detected; which, because it had been hatched at a small farm near London, of that name, was commonly called *The Rye-House Plot*. Several Whigs—some of high social rank—were implicated, condemned, and executed. Among these victims were the patrician Lord William Russell, and the nobler Algernon Sidney. To exhibit its subserviency, the University of Oxford decreed that “the badge and character” of the Episcopal Church of England was absolute “submission and obedience” to her voluptuous king. Sir George Jeffreys, a brutal, impudent lawyer, who had been the Duke of York’s solicitor general, was paid for his devotion to his patron by being made lord chief justice of the “Defender of the faith” of Protestant Englishmen. The “Franchise” of the City of London was adjudged to be “seized into the King’s hands.” Almost every corporation within his realm was deprived of its charter. The despotic power which Charles the Second now grasped in England was clearly demonstrated.

Yet the head of the Episcopalian English Church saw that he must give some pledge to his subjects for the security of their Protestantism. Charles therefore insisted that his brother’s only remaining legitimate child, the Princess Anne—who, like her elder sister Mary, had been nurtured a Protestant—should be married, like her, to a Protestant husband. As the Prince of Orange was a Calvinist, it was thought desirable that the next son-in-law should be a Lutheran. The Crown Prince of Hanover—who afterward became King George the First of England—was discussed as a fitting match. But, on farther consideration, Prince George of Denmark—whose recommendations were his dullness and his Lutheranism—was preferred. The Duke of York—not yet despairing of a Roman Catholic male heir—ungraciously agreed to his daughter’s marriage: which was solemnized to the satisfaction of most British subjects.

The Prin-
cess Anne
married to
Prince
George of
Denmark.

28 July.

1684.

The king rewarded his brother’s submission by dispensing with the “Test Act” in his favor, and by restoring to

him his old office of Lord High Admiral of England, which that law had forced him to resign in 1673. Soon afterward, Charles called the duke back again to his Privy Council. These bold steps awoke jealousy; and even startled Tories balked at Oxford as they questioned the right of their anointed sovereign to violate a statute of the realm. But the season for Revolution had not come. God's field was not yet harrowed enough. In the fallow meantime, the sycophants of absolutism rejoiced. "And now," wrote James, in his own private memoirs, "the King had brought his affairs to a more happy situation than ever they had been since the Restoration:—He saw his enemies at his feet, and the Duke, his brother, at his side, whose indefatigableness in business took a great share of that burden off his shoulders, which his indolent temper made uneasy to him."^{*}

While these events shook England, the proceedings of the first Assembly in New York were brought over by Talbot to Werden. The duke's commissioners proposed several amendments to the revenue part of the charter; and Werden suggested to Dongan that they had better be passed at the next meeting of the Assembly. This, as has been seen, was done.[†]

Several months afterward, James wrote to Dongan, "My commissioners are making what dispatch they can with those Bills that you have sent hither, and particularly with that which contains the Franchises and Priviledges to the Colony of New Yorke, wherein if any alterations are made (either in the forme or matter of it) they will be such as shall be equally or more advantageous to the people there, and better adjusted to the laws of England." At length, all the amendments thought necessary were completed, and the duke "signed and sealed the Charter of Franchises and Priviledges to New Yorke in America." The instrument

Ca. viii.

1684.

2 May.
25 May.
The Test
Act dis-
pens-
ed
with, and
James re-
stored to
his offices.

New York
laws.

10 March.

26 August.
James's
letter to
Dongan.

4 October.
James
signs the
New York
Charter.

* Clarke's James II., i., 738-746; ii., 81; Dalrymple, i., 22-62; Burnet, i., 237-282; Reresby, 163-182; Rapin, ii., 725-734; Tindal, iv., 534; Kennett, iii., 403-423; Evelyn, ii., 186-206; Narcissus Luttrell, i., 272, 307; Hume, vii., 156-172; Lingard, xiii., 275-311; xiv., 69; Macanley, i., 263-271; Knight, iv., 367-376; Campbell's Chancellors, iii., 509, 527; Martin's Louis XIV., ii., 27; Hargraves's State Trials, iii., 545-630, 706-824; *ante*, 201, 241, 373.

† Col. Doc., iii., 340, 341, 355; Chalmers, i., 5-55; Council Journ., i., Int., xiii.; *ante*, 357, 408. It was rumored, about this time, at Boston and Philadelphia, that the duke had sold New York to "one Colonel Thompson," probably Major Robert Thompson, of London, the friend of Massachusetts and Connecticut: see Col. Doc., iii., 275; Mass. Rec., v., 408, 409, 436, 467; Col. Rec. Conn., ii., 344, 523; Hutchinson, 473; *ante*, 257, 286.

CH. VIII.

1684.
1 Novem.

was ordered to be registered and taken to New York. In the mean time, "His Royal Highnesses' Charter" was considered to be in full operation. Indeed, under Dongan's instructions, every colonial law assented to by him, as this had been, was "good and binding" until the duke's negative should be signified. But before the amended charter was made "complete and irrevocable" by being sent to New York, great changes happened.*

The Massachusetts agents failed in London.

Dudley and Richards, the agents sent by Massachusetts to England, had meanwhile found that their colony must either submit to her king, or be deprived of his father's royal charter, as the City of London had been of hers. In vain did they try to obtain a pardon for "all passed offences" from their licentious sovereign by a bribe of two thousand guineas, which the authorities at Boston had frugally authorized them to contribute "for his Majesty's private service." But the Boston agents found that they had not guineas enough to satisfy the Duchess of Portsmouth; and the "delicate transaction" was managed so awkwardly, by offering a Massachusetts price to "the wrong person," that the Puritanical tempters were laughed out of Whitehall. It did not please the Almighty "that devotional prayers, associated with such unholy exertions, should prevail."†

Charles determines to quell Massachusetts.

The king now determined to make void his father's patent to the Corporation of Massachusetts Bay by a writ of *Quo Warranto*, as advised by Jones and Wilmington, his attorney and solicitor, in 1678. That colony was in a dilemma. She was either an independent sovereignty, or else the creature of her king. Yet, while Massachusetts affected independence, she insisted that, as an English corporation, she had properly used the delegated authority of her sovereign. On the other hand, Charles thought that these subjects who controlled his colony had abused their corpo-

* Col. Doc., iii., 332, 343, 351; Chalmers's Ann., i., 388; S. P. O., Board of Trade, N. Y. Entries, No. 49, p. 50; ante, 3-3. The official record is as follows: "MD: That this day the 4th October 1684 His Royal Highness signed and sealed the Charter of Franchises and Privileges to New York in America; which was countersigned by Sir John Wren in the usual forme, and sent the same evening to the Auditor (Mr. Aldworth) to be Registered, him, and then to be delivered to Capt. Talbot to carry to New York." This interesting document was published for the first time in the Historical Magazine for August, 1864, vi., page 233.

† Hutch. Mass., i., 357; Chalmers's Ann., i., 410, 450-462; Clarke's James II., i., 77-78; Kennett, iii., 407, 408; Macaulay, i., 261, 269; Bancroft, ii., 123; Barry, i., 474; Gough, i., 3-7; Palfrey, iii., 350, 360-370, 410, 411; ante, 360.

rate privileges. If they had done so by excluding from the freedom of their corporation those who did not "agree in the Congregational way," or by other methods, it was his duty to resume the authority of the crown. The king's idea of a proper charter for an English colony in America may be inferred from the patent which he had just before granted to William Penn. The time had come when the government of Massachusetts should be made at least as liberal as that of Pennsylvania. Randolph, who had been ordered home from Boston, accordingly charged the Corporation of Massachusetts with assuming unwarranted powers; evading the Navigation Laws; opposing the Episcopal Church of England; and with various other offenses against British sovereignty. Sir Robert Sawyer, the attorney general, thereupon prosecuted a writ of "*Quo Warranto*" in the King's Bench, to inquire into the alleged abuses. After various delays the proceedings in the Common-law court were dropped, and a more searching writ of "*Scire Facias*" in Chancery was issued. This was followed by a second, or "*alias*" writ; upon the return of which, the defendant not appearing, Lord Keeper Guilford, after hearing counsel, decreed, "*nisi*," in Trinity Term, that the Massachusetts patent "be vacated, cancelled and annihilated, and into the said court restored, there to be cancelled." In the following Michaelmas Term final judgment was entered in Chancery, and the Corporation of Massachusetts was dead.*

CH. VIII.

1683.

13 June.

27 June.
A Quo Warranto ordered.

1684.

16 April.

12 May.

21 June.

The Massachusetts patent canceled.

22 October.

Thus, by the decree of the Keeper of the English Great Seal, a corporation, to which his official predecessor had given technical life, was annihilated. The separate name of Massachusetts no longer existed legally; and that part of New England which had been governed under the patent of Charles the First was left to the discretion of Charles the Second. The only English power that could review the judgment in Chancery was the House of Lords; and that house was not likely to reverse the decree. It now

* MASS. II. S. COLL., xxi., 96; xxxii., 246-278, 293, 294, 295; MASS. REC., v., 382-468; HUTCH. MASS., I., 337-349; CHALMERS'S ANN., I., 405, 413, 415, 440, 462; REV. COL., I., 133, 134, 173; PALMER'S IMPARTIAL ACCOUNT, 10-12; FORCE'S TRACTS, IV., No. 9, p. 4, No. 71, p. 5, 6; N. LUTTRELL, I., 274; BARRY, I., 474-478; BANCROFT, II., 124-127; PALFREY, III., 371-394; COL. DOC., III., 250, 278, 379; *note*, 319, 337, 349. In the same Trinity Term, 1684, judgment was given against the Bermuda's corporation, chiefly because the inhabitants of those islands were opposed to the Church of England; HUTCH. MASS., I., 336; ANDERSON'S COL. CH., II., 87, 294, 335.

CH. VIII. became necessary for the king to determine how his subjects in Massachusetts should be ruled. The point, which was "carefully investigated" by his Privy Council, was, whether the English system of representation in Parliament should prevail in America, or whether the colonists should be governed directly by the Crown. Sir William Jones, the deceased attorney general, had maintained that Charles could no more levy taxes on his colonial subjects "without their consent by an Assembly, than they could discharge themselves from their allegiance to the English crown." At the same time, Jones maintained that the British Parliament "might rightfully impose taxes on every dominion of the crown."

1684.
Novem.
Debate in
the Privy
Council.

Argument
of Halifax.

Decision
about New
England.

These principles had been adopted by the king in his recent charter to Pennsylvania in 1681. Under the Royal Instructions to Cranfield in 1682, New Hampshire enjoyed a popular Assembly. In August, 1683, Charles had recognized such an Assembly in Virginia, by his Instructions to Lord Howard of Effingham. And now, in council at Whitehall, the Marquis of Halifax argued that the laws of England ought to prevail in "a country composed of Englishmen." He urged that an absolute government was neither as happy nor as stable as one in which the authority of the prince was limited; and he plainly declared that he could not live under a king who had the power to take at pleasure the money he might have in his pocket. But the Lord Privy Seal stood alone. James and all the other counselors "strongly withstood" Halifax's arguments, and maintained that the king should govern such distant countries "in the way which might appear to him the most convenient to maintain the mother country in the state in which she is, and to augment still more her power and wealth." So it was determined that the governor and council in New England "should not be obliged to call Assemblies of the whole country to lay taxes, and regulate other important matters, but that they should do what they might judge proper, without rendering an account of it, except to the king."*

* Barillon's dispatch to Louis XIV., 7 Dec., 1684, in Fox's James II., 50, 60, App. vii., viii.; Chalmer's Ann., i., 345, 346, 416, 464, 465, 493, 497, 684, 690; Roy. Col., i., 153, 174, 500; Forcé's Tracts, iv., No. 9, p. 45, 46; Mather's Magnalia, i., 178; Grahame, i., 255; Barret, i., 396, 532; Lingard, xiii., 316; Macaulay, i., 272; Palfrey, iii., 325, 514; ante, 344, 349.

This decision of the English Council was momentous. Cn. VIII.
 The period of royal American corporations had passed 1684.
 away. It was now settled that, in all colonies where it
 was convenient, the king's sovereignty was to be resumed,
 and his direct government established. As no Parliament
 had met in England for three years, its power to interfere
 with English Plantations was disregarded. To carry out
 Charles's arbitrary but simple policy, it was necessary for
 him carefully to choose his colonial officers. Andros was
 thought of as the first royal governor of Massachusetts.
 But, as Sir Edmund was occupied with his private affairs
 in the Channel Islands, Colonel Piercy Kirke was chosen. 8 Novem.
 Kirke had just returned from the government of Tangier, Kirke chosen to be governor of New England.
 where he had proved himself to be a licentious despot.
 But, being "a gentleman of very good resolution," it was
 considered that he would not fail "in any part of his duty
 to his Majesty." A commission and Instructions were ac-
 cordingly ordered for Kirke, as "his Majesty's Lieutenant 17 Novem.
 and Governor General" of "New England," including
 Massachusetts, New Hampshire, Maine, and New Plym-
 outh; while for the present Rhode Island and Connecticut
 were excepted from his authority. It was, however, in-
 tended to form a royal government over all the New En-
 gland colonies, of which the king appointed Randolph to
 be his secretary and register. Charles himself directed 22 Novem.
 that in Kirke's Commission and Instructions "no mention No Assembly in New England.
 be made of an Assembly, but that the Governor and Coun-
 cil have power to make laws and to perform all other
 acts of Government, 'till his Majesty's pleasure be further
 known.'"^{*}

The annihilation of the Massachusetts charter relieved Boundary between New York and Massachusetts settled.
 New York from her anticipated boundary dispute with that
 colony, and confirmed to the Duke of York all the territo-
 rial rights, west of the Connecticut River, which he claim-
 ed under his patent.[†]

But how could James now complete the Instrument he
 had executed a few weeks before; which, nevertheless, had

^{*} Chalmers's Ann., i., 416; Hutch. Mass., i., 341, 343, 344; Coll., 542, 543; Narcissus Luttrell, i., 52, 159; Anderson's Col. Church, ii., 282; Douglas, i., 413; Whitmore's Andros, 22; Rapin, ii., 132, 133; Kennett, iii., 423; Macaulay, i., 627, 628; Palfrey, iii., 394, 395, 396, 482, 483, 513; *ante*, 357.

[†] Col. Doc., iii., 356; vi., 598; vii., 564, 598; viii., 449; Smith, i., 297; *ante*, 413.

CH. VIII. not been perfected by delivery? True, the Assembly of
 1684. New York had voted a Revenue Bill, in consideration of his
 anticipated "bountiful confirming" of their charter. Yet

James sus-
 pends the
 New York
 charter.

4 Decem.

James hesitated. He had thought of obtaining a grant of Rhode Island and Connecticut. The transmission of his sealed charter was therefore suspended. In writing to Dongan, Werden enjoined prudence in dealing with the Indians in New York and Pemaquid; "always avoiding, as much as possible, any proceedings on our part that may run us into disputes with the French, who, in our present circumstances, are not to be made enemies."*

³/₁₃ Decem.

Halifax,
 Louis,
 Charles,
 and James.

The king
 and the
 duke.

Yet Halifax remained in Charles's council despite James's entreaties for his dismissal. Louis wrote to Barillon, at London, that "the reasonings of Lord Halifax on the manner of governing New England little deserve the confidence which the King of England has in him; and I am not surprised to learn that the Duke of York has called the attention of the King, his brother, to their consequences." Halifax, on the other hand, urged the king to call a Parliament, and to dismiss James from his councils. It was thought by many that the royal brothers would soon be estranged. The Princess of Orange would probably be announced as the heiress presumptive of the crown. The illegitimate Duke of Monmouth might even be declared Prince of Wales. All forfeited charters would be restored. But Charles was weary of his brother's excessive zeal: perhaps he foresaw the result of his violent designs. Just after the dissolution of his last Parliament at Oxford, the king told the Prince of Orange that, should James come to the crown, he "could not hold it four years to an end." To the duke himself he said, "Brother, I am resolved never to go on my travels again:—you may, if you will."† The words of Charles were prophetic.

* Col. Doc., iii., 341, 348, 351, 353, 677, 678; Hutch. Coll., 540; Chalmers, i., 278, 416, 538; R. I. Rec., iii., 147; ante, 384, 401, 405, 408.

† Fox's James II., App. viii., ix.; Dalrymple, i., 63, 64; Macpherson, i., 419; Seech. Hist. of Whitehall, Lett. lxxii.; Burnet, i., 576, 604, 695; Echard, 53; Rapin, ii., 726, 731; Kennett, iii., 423; Hume, vii., 175; Lingard, xiii., 316; Macaulay, i., 277, 278; Martin, ii., 17.

CHAPTER IX.

1685-1688.

CHARLES the Second had now reigned for nearly a quarter of a century since his restoration. He was about fifty-five years old; and his strong constitution, helped by bodily exercise in the open air, promised him a length of days. But, early in the February of 1685, Charles was stricken by a disease which baffled the skill of his physicians. After suffering a short and sharp illness, the head of English Episcopalianism mumbled his reconciliation with the Church of Rome; wished the Duke of York a long and prosperous reign; and, after spending the life of an Epicurean Protestant, went to his judgment a pusillanimous, eleventh-hour Roman Catholic.

CHAP. IX.

1685.

Decease of
Charles
the Second.

6 Febr'y.

The successor of Charles was a very different man: colder, more honest, more decided—a bigot in place of a shuffler. A quarter of an hour after the decease of his brother, James the Second of England and the Seventh of Scotland, came out of the closet whither he had retired to give “full scope to his tears.” The Privy Counselors of the late king were already assembled, and their new master hastily told them that, although he had “been reported to be a man for arbitrary power,” he would endeavor “to preserve the government, both in Church and State, as it is now by law established.” Immediately afterward James was proclaimed king in the usual form. No opposition was made to the accession of a sovereign whom the Commons of England had so often attempted to exclude from its throne. The new ministry was arranged. Sunderland and Middleton were retained as secretaries of state. Rochester, the brother-in-law and old commissioner of James, was made the head of his treasury; Clarendon, also his brother-in-law, privy seal; and Halifax, although disliked, became lord president of his council. The king, who loved busi-

6 Febr'y.

Accession
of James
the Second.

Ministers
of James.

CHAP. IX.

1685.

17 Feb'y.
New York
Records
sent to the
Plantation
Office.

The New
York char-
ter kept
back.

ness, took again the Admiralty into his own hands, and was assisted by the long experience of Samuel Pepys.*

Since the year 1675, Charles the Second had intrusted all matters relating to the Trade and Plantations of England to a committee of his Privy Council. Approving of this policy, James appointed a similar committee, which included the great officers of state. As the Duke of York had now become king, his rights as a subject proprietor were merged in his sovereignty; and New York, with her dependencies, having devolved to the crown of England, became a royal government, under the supervision of the Plantation Committee. A few days after the accession of James, the records belonging to the province were ordered to be sent to the Plantation Office; and Sir John Werden delivered all that were thought "material" to Secretary Blathwayt. Among these were thirteen of the acts passed at the first session of the New York Assembly, which had been transmitted for confirmation, and were readily approved. Another, and the most important, was "The Charter of Franchises and Privileges to New York," which, although it had been signed and sealed by the duke, and ordered to be delivered, had been kept back, and was "not yet perfected."†

Thus the political condition of New York was again changed. For twenty years—with a short interruption—the province had been the conquered dukedom of a royal English subject. At length her subordinate proprietor had become king; and New York—following his for-

* Clarke's James II., i., 746-750; ii., 1-8; Burnet, i., 606-621; Kennett, iii., 423-428; Papin, ii., 734-742; Parl. Hist., iv., 1342; Lingard, xiii., 317-321; xiv., 1-8; Macaulay, i., 426-437, 440-446; Proudt, i., 290, 291; Martin, ii., 28; Fox's James II., 73-81, App. xli.-xvii; Dalrymple, i., 152-166; ii., i-11; *ante*, 201.

† Col. Doer, iii., 229, 230, 254, 255, 257, 259, 263, 270; viii., 443; Chalmers's Ann., i., 584, 585; *ante*, 297, 416, 420. It is to be regretted that Werden, the Duke of York's secretary, did not transfer all the papers relating to New York during its proprietary period, what is thought "material" or not, to the Plantation Committee; in the archives of which they would have been carefully preserved. To this omission we probably owe much of the darkness which still obscures that period. Many of the documents relating to the governments of Nicolls, Lovelace, Andros, and Dongan—from 1664 to 1685—are now missing from the Records in the State Paper Office in London. The Duke of York, after he became James the Second, appears to have kept as souvenirs, in his own possession, much of the correspondence which his deputies had addressed to him as Proprietor; and it may be that these letters shared the fate of his other private papers, which were sent to Paris in 1688, and were afterward destroyed in the French Revolution: Fox's James II., Introd., xviii.-xviii; Clarke's James II., Preface, xiv.-xviii. In 1670 and 1671, Evelyn appears to have been furnished with some now well-known official documents, which he gave back to the Lord Treasurer Clifford, who took them with him to Devonshire: Evelyn, ii., 51, 53, 55, 56; *ante*, 143, 223, 229-231, 233-242, 260-263; Pepys, iv., 221, 222; *ante*, 18, 157.

tunes — became an American province of the English crown. Out of a proprietorship came forth a royal government. Her "Charter of Privileges," which her late proprietor had sealed, required to be confirmed by her present king before that instrument could be "complete and irrevocable." But James, King of England, was a very different person from James, Duke of York. He presided in person at a meeting of his Plantation Committee, when the New York charter was considered. A series of "observations" upon several of its clauses was read, to which it was objected that they gave more privileges than had been "granted to *any of his Majesty's Plantations*, where the Act of Habeas Corpus, and all such other Bills do not take place;" that the words, "*The People, met in a General Assembly*," were "*not used in any other Constitution in America*;" in short: that some of its enactments were inconvenient, and tended too much to restrain the governor and "abridge the King's power." Moreover, the New York charter expressly recognized a "Lord Proprietor," who had now become sovereign. This was a fatal objection to that Instrument, as it had been sealed. The king therefore declared that he did "not think fit to confirm" the charter. "And, as to the Government of New York, his Majesty is pleased to direct that it be assimilated to the Constitution that shall be agreed on for New England, to which it is adjoining: And, in the mean time, his Majesty orders a letter to be prepared for his Royal signature, directing Colonel Dongan, Governor of New York, to pursue such powers and instructions as he shall receive under his Majesty's signet and sign manual, or by order in Council, until further order."*

CHAP. IX.

1685.

New York
a royal En-
glish prov-
ince.

3 March.

3 March.

The New
York char-
ter not con-
firmed by
James the
Second.

3 March.

By this action James the Second did not repeal the charter of New York. He merely declined to confirm it, and thus left it in force until his disapproval should be notified to Dongan. As the "Constitution" for New England had not yet been settled, the government of New York, under its late proprietor's Instructions, was not disturbed. So James wrote to Dongan: "Whereas, by the decease of the late King, our most dearly beloved brother, and our access-

5 March.
James the
Second's or-
ders to
Dongan.

* Col. Doc., iii., 357-359; iv., 264; viii., 443; Chalmers's Ann., i., 56, 74, 538; ii., 72, 113; Rev. Col., i., 181; N. Y. Council Journ., i., 45; ante, 333, 416.

CHAP. IX. 1685. sion to the Imperial Crown of this Realm, our Province of New York—the Propriety whereof was by the letters Patents of his said Majesty vested in us—is now wholly devolved upon our royal person, and annexed to our other dominions, We do hereby signify our will and pleasure that you publish and make known the same to all our loving subjects within our Province. And as we have been pleased by our Royal Proclamation to direct that all men being in office of government shall so continue therein until further order, so we do hereby charge and require you to pursue such powers and instructions as we have formerly given you, and such further powers authority and instructions as you shall at any time hereafter receive under our royal signet and sign manual, or by our order in our Privy Council. And that you likewise give our said loving subjects to understand, that, having committed to our said Privy Council the care of our said Province, with the consideration of the several Bills and Addresses lately presented unto us from our Assembly there, they may shortly expect such a gracious and suitable return, by the settlement of fitting privileges and confirmation of their rights, as shall be found most expedient for our service and the welfare of our said Province.”*

5 March.
Orders of
the Privy
Council.

6 March.

This letter of the king was equivalent to a new royal commission to Dongan. It recognized the existing Assembly of New York, while it foreshadowed such changes in the provincial government as might be “found most expedient.” The Privy Council at the same time instructed Dongan to proclaim the new king “with the solemnities and ceremonies requisite on the like occasion,” and inclosed the royal proclamation for continuing all persons in office in the same form as they had already notified the other American colonies. Dongan was also directed by Blathwayt, the secretary of the Plantation Committee, to correspond hereafter with him instead of Werden.†

Although James the Second thus recognized a royal As-

* Col. Doc., iii., 532, 550, 561. The effect of this letter seems to have been misapprehended in 1689: Col. Doc., iii., 677, 678. Hoffman, in his recent “Treatise,” i. 21, 22, appears to have overlooked it altogether.

† Col. Doc., iii., 357, 554, 560, 563; Council Min. v., 109; Col. Rec. Conn., iii., 329, 340; Mass. Rec., v., 473, 474; Chalmers’s Ann., i., 346, 370, 417; *ante*, 416. Sir John Werden’s occupation, as secretary of the Duke of York, being now gone, he was recompensed by being appointed a commissioner of customs: Beatson, i., 449-451; Col. Doc., v., 41.

sembly in New York, he did not mean it to last; for he had directed the "Constitution" of the province to be assimilated to that of New England, where there were to be no Assemblies. Home affairs, which crowded the beginning of his reign, prevented prompt action on colonial business; and the government of Massachusetts was meanwhile left in the hands of its late magistrates. Colonel Kirke, whom Charles had appointed to be governor of New England, was confirmed by James; and, after some delay, orders were given to complete his Instructions, and send him to America, with two frigates to maintain his authority. But the insurrections in Scotland, under Argyll, and in the west of England, under Monmouth, caused Kirke to be retained at home; and, while his throne was thus actually threatened, the king could bestow little thought on his distant American dominions.*

CHAT. IX.

1685.

No colonial
Assemblies
under
James.

13 May.

May.

June.
July.

The first dispatches from James the Second were brought to America by Captain Baxter, whom Dongan had sent to England in the previous August. The acting authorities of the late Corporation of Massachusetts hastened to proclaim their new sovereign "with all due solemnity." Connecticut did the same, "with great solemnity and affection." On receiving his letters, Dongan—now the royal governor of New York—ordered a parade of the metropolitan militia; and, two days afterward, James the Second was joyfully proclaimed sovereign of the province he had ruled so long as proprietor. It was natural that "the People" of New York should rejoice that their duke had become their king; for they hoped that the interest which James had shown in the prosperity of the province when it was his own property, would continue to be manifested after it devolved, as a colonial appendage of England, to her imperial crown.†

20 April.

22 April.

21 April.

23 April.

James pro-
claimed in
New York.

Quickly after his proclamation, the Corporation of the metropolis drew up an address to James, congratulating him on his accession, and wishing him "a long, peaceable,

May.

* Burnet, i., 623-646; Kennett, iii., 431-438; Rapin, ii., 743-749; Lingard, xiv., 33-65; Macaulay, i., 646-652; Clarke, ii., 14-47; Fox, 125-277; Mackintosh, 13-36; Hutch. Mass., i., 341, 342; Coll., 542; Chalmers, i., 416; Mass. H. S. Coll., xxxv., 142; Palfrey, iii., 480-482; *ante*, 419.

† Col. Doc., iii., 251, 257, 260; v., 651; viii., 443; Col. MSS., xxxiii., 112-117; Council Min., v., 109, 110; Mass. Rec., v., 473, 474; Col. Rec. Conn., iii., 340; Hutch. Mass., i., 349; Chalmers, i., 417; Penn. Col. Rec., i., 132, 133; Palfrey, iii., 481; *ante*, 401.

CHAP. IX. and prosperous reign," which, at Dongan's suggestion, they sent to his late Secretary Werden, for presentation. They also asked Werden to acquaint the king that since he had
 1685. "been pleased to separate Delaware and the two Jerseys from this, his Government of New York, this City hath apparently and extremely suffered in the diminution and loss of its trade, being thereby deprived of at least one third part thereof; and hath ever since much lessened and decayed, both in number of inhabitants, rents, and buildings: and his Majesty in his revenue likewise suffers thereby. And the remaining part of this Province, when less able the more burthened, which with great willingness and submission they bear; But now hope that this appearing to His Majesty, he will find it consistent with the ease and safety of his subjects, and his Majesty's interest and service, to reunite those parts and enlarge this government Eastward, and confirm and grant to this his City such privileges and immunities as may again make it flourish, and increase his Majesty's revenue." This letter Werden handed to the Plantation Committee, where it soon produced a decided effect.*

13 May.
The Corporation of
New
York's address to the
king.

July.

12 Septem.

Jews in
New York.

14 Septem.

An interesting point now came up to be settled. Saul Browne, a Jew, formerly of Rhode Island, complained that he had been hindered in his trade—apparently under the "scott and lott" regulation of the previous March—and Dongan having referred Browne's petition to the metropolitan authorities, they answered that "no Jew ought to sell by retail within the city, but may by wholesale, if the Governor think fit to permit the same." A question having also arisen, under the Charter of Liberties of 1683, whether others than those "which profess faith in God by Jesus Christ" were guaranteed freedom of conscience, the Jews petitioned the governor "for liberty to exercise their religion." This was referred to the mayor and aldermen, who returned their opinion "that no public worship is tolerated, by act of Assembly, but to those that profess faith in Christ; and therefore the Jews' worship not to be allowed." This severe construction, however, was contrary to the duke's policy in regard to New York, after he became a Roman

* Col. Doc., iii., 361, 362; Index to N. J. Col. Doc., 11. The Corporation of the City of New York always exercised great influence in provincial affairs.

Catholic; and it does not appear to have been adopted by its provincial government.* CHAP. IX.

The events which had occurred in Scotland and England just after the accession of James were communicated to the several American governors in a circular letter from Secretary Sunderland. Dongan replied that "the people of this place express themselves very willing to obey the King in any thing to their power: when the Assembly meets, which will be in October next, your Lordship's letter shall be read to them. It came very seasonably to give us a true account of the rebellions in Scotland and the west of England; malicious and factious reports having pestered this place, which came every day by the way of Boston. In my opinion, the King cannot do better than with all expedition to send his Governor thither. It would certainly alter the way of that people very much for the better." * * * * "This place is composed most of strangers; and we have very few or none of ill principles among us that I know of. If any of the English be so, they have the wit to conceal it. A new seal of this Province is very much wanting, and the people extraordinary desirous to have the King's seal to their patents and other papers that concern them."†

The Assembly had adjourned in October, 1684, to meet again in September, 1685. But the question arose whether it was not dissolved by the demise of the crown. To prevent future trouble, the council, of which Captain Baxter had been sworn a member, thought that it was expedient to dissolve the Assembly and to call a new one. accordingly, by proclamation, dissolved the first Assembly; and writs were sent out for the election of new representatives, to meet at New York on the twentieth of October. On that day the new Assembly met, and chose William Pinhorne, formerly an alderman of the city, its speaker, and Robert Hammond was again made clerk.

* Min. of C. C., i., 285, 287; Dunlap, ii., App. cxxiv.; Col. Doc., iii., 218; R. I. Rec., iii., 160; Shea's note to Miller, 103; *ante*, 410. The Jews were then, as they are now, classed with Turks, infidels, and heretics by the Roman Catholic, the Protestant Episcopal, and the Reformed Dutch Churches. In his Instructions to Dongan of 1682, James did not repeat the clause he had inserted in those of Andros in 1674: compare Col. Doc., iii., 218, 331-334; *ante*, 373. But he renewed it in 1686: Col. Doc., iii., 373. Saul Browne, the petitioner, afterward became Reader in the Jews' Synagogue in New York: Shea's note to Miller, 103.

† Col. Doc., iii., 364, 365; Council Min., v., 126; Col. Rec. Conn., iii., 345, 346; Mass. H. S. Coll., xxxv., 159; Hutch. Coll., i., 314; Chadwicks, i., 375, 379; *ante*, 168, *note*.

1685.

18 Septem.
Dongan's
letter to
Sunder-
land.A new seal
wanted.

3 June.

5 August.

13 August.

17 August.

20 October.

Meeting of
the New
York As-
sembly.

CHAP. IX. Six laws were enacted. Three bills passed the Assembly, but did not receive the governor's assent. One bill, which
 1685.
 3 Novem. made a single witness sufficient in revenue cases, passed the council, but failed to receive the sanction of the representatives. At the close of its session the Assembly adjourned to the twenty-fifth of the following September. But, before that time came, such changes happened that it never met again.*

The second
 New York
 Assembly
 ended.

After the adjournment of the Assembly, a day of
 20 Novem. thanksgiving was proclaimed by the governor, according
 giving. to the old Dutch custom, for the king's victory over the rebels under Argyll and Monmouth. Collector Santen,
 20 Novem. who had not given a satisfactory account, was ordered to produce his books of revenue before the council. Thomas Rudyard, formerly governor of East Jersey, whom Dongan had made attorney general of New York the year before, now made his will, and determined to emigrate to Barbadoes; and the governor commissioned the metropolitan recorder, James Graham, to be Rudyard's successor. This caused other official changes. Isaac Swinton was made a clerk in Chancery in Graham's place, and was installed, with his older colleague, John Knight. Nicholas Bayard, who had succeeded Minvielle as mayor of the city, was now sworn as a royal counselor. A Court of Exchequer, to determine all royal revenue cases—and which was composed of the governor and council—was also appointed to be held in the city of New York on the first Monday of each month. This tribunal was thought necessary, because it was found that when the king's revenue causes were tried in the "settled Courts," there was a "great hazard of venturing the matter on Country Jurors; who, over and above that they are generally ignorant enough, and for the most part linked together by affinity, are too much swayed by their particular humours and interests."†

17 Decem.
 14 Decem.
 Court of
 Exchequer.

* MS. Laws, Secretary's Office; Council Min., v., 123; Col. MSS., xxxiii., 152, 153; Min. of C. C., i., 253; Dunlap, ii., App. cxxxiv.; Col. Doc., iii., 364, 716; Council Journ., i., Int., xiii.-xv.; Wood's L. L., 102; Thompson, i., 162; ante, 408. The note in N. Y. H. S. Coll., iii., 355, that there is "no evidence of any session of an Assembly" during the reign of James the Second is erroneous.

† Council Min., v., 131, 138-146; Col. MSS., xxxiii., 184, 185, 196, 200, 216; xxxiv., 92; Col. Doc., iii., 351, 390, 412, 657; iv., 847; ix., 292; Daly's Sketch, 32; ante, 409. Mr. Whitehead, in his "East Jersey," 10, 124, 125, and his "Contributions," 81, does not state that Rudyard became attorney general of New York; and he makes him die "about 1692," at Jamaica.

In his first letter to Secretary Blathwayt, Dongan reported that the French were "now quiet," and that the English trade would be "much better, if we take but the same care as the French, by putting a little fort on this side of the Great Lake [Ontario], as they have on the other. It is in the King's dominions, nearer to us than to them, and would be an obligation to the Indians to bring their beaver to us, which would be six for one at present. I put the arms of the Duke, now his Majesty, upon all the Indian Castles near the Great Lake, and that by their own consent who have submitted to this government. They are a considerable people, and ought to be encouraged, because they have a considerable influence over most of the Indians in America. The French quarrel only because they cannot obtain them, which, if they should, they would be troublesome to most of the King's subjects in these parts of America."*

CHAP. IX.

1685.

11 August.
Dongan's
report to
Blathwayt.

Before Dongan's arrival, Greenhalgh and his comrade were the only "Christians" under the New York government who had gone as far as the Seneca country. To carry out his policy of attracting their fur-trade to New York, the governor licensed a Canadian refugee, Abel Marion la Fontaine, with several others, to hunt beaver in the woods among the Western savages. A similar pass was given to Captain Johannes Rooseboom, of Albany. These adventurers went a three months' journey to the Ottawas and Miami's country, as far as Michilimackinac, whence they brought back many beaver-skins. They were very well received by those Indians, whom they found more inclined to trade with them than with the French; and Rooseboom and his party of young Dutchmen were "invited to come every year" by the Western savages, who desired that their enemies, the Senecas, "would open a path for them, that they might come to Albany."†

1 April.

12 August.
Dongan
gives pass-
es to New
Yorkers to
hunt in the
West.

Notwithstanding the treaty made the last year, some Cayugas had committed outrages on the frontiers of Virginia. Dongan, however, summoned the Five Nations to meet "Assarigoa" at Albany, and confirm the peace. But Lord

* Col. Doc., iii., 353, 363, 393-396; *ante*, 398, 399, 420.

† Col. Doc., iii., 250-252, 266, 305, 437, 438, 476; v., 76, 731; ix., 275, 297, 302, 1023; Doc. Hist., i., 133; Col. MSS., xxxiii., 106, 107, 112, 150; Charlevoix, ii., 332; La Montan, i., 97; *ante*, 310.

CHAP. IX. Effingham's wife, "Philadelphia," having died in Virginia, he deputed one of his council, Colonel Bird, and his attorney, Edward Jennings, to represent him. Accompanied

1685.
13 August.

September.
Conference
with the
Iroquois at
Albany.

by chiefs of the Pamunkeys, Chickahominies, Mataponys, and Powhatans, the Virginia agents came to Albany; and Bird sharply reproved the New York savages for having broken their covenant. The Senecas and Mohawks freed themselves from blame, and chid the other nations. The offending cantons apologized, and promised satisfaction. The orator for the Mohawks then declared that the path of friendship led to Albany, where was the "House of Peace." And then he sang "all the covenant chain over;" after which he admonished the Oneidas, Onondagas, and Cayugas, and sang another song in honor of the sachems who had come from Virginia. The younger Garakontie attended this conference as the Onondaga deputy. By him Lamberville, or "*Teiorenscree*," wrote to Dongan, urging him, as well by his "zeal for the public peace, and especially for the Christians of this America," as by his devotion as a Romanist, to solicit the Senecas to be friendly with the French; of whose faith he declared the "sole object" was, "that the blood of Jesus Christ, shed for all men, may be useful to them." Lamberville's adroit letter did not deceive the straightforward Dongan.*

7th Sept.
Lamberville's letter to Dongan.

Effect of De la Barre's treaty on the Iroquois.

After De la Barre's treaty at the Salmon River, the Iroquois began to despise the French, whose "Onontio" had proved himself a poltroon; and the Mahicans promised them twelve hundred warriors if they should be attacked by the Canadians. Dongan also offered them all needed aid of men and ammunition. The Senecas, accordingly, instead of paying the beavers which they had promised to De la Barre, carried more than ten thousand of those furs to Albany.†

7 Jan'y.
Louis removes De la Barre, and appoints Denonville to govern Canada.

When Louis heard of De la Barre's submission to the Iroquois, and abandonment of the Illinois, he superseded his weak Canadian representative, and appointed in his place Jacques René de Brisay, Marquis de Denonville, a colonel of his dragoons, and a French nobleman, "equally estimable for his valor, his integrity, and his piety." De-

* Col. Dec., iii., 453, 454; ix., 259, 261, 274; Dec. Hist., i., 121, 122; Burd., ii., 321; Collins's Peerage, v., 25; Collier, i., 48, 58, 59, first ed., 61, 68, 69; ante, 398, 402.

† Charlevoix, ii., 321, 322, 323; ante, 405.

nonville was instructed to "humble the pride of the Iroquois," and to sustain the Illinois and other Western tribes who had been abandoned by his predecessor. Notwithstanding Dongan's "unjust pretensions," a good understanding must be maintained between the French and English colonists; yet if the latter should "excite and aid the Indians, they must be treated as enemies, when found on Indian territory, without at the same time attempting any thing on territory under the obedience of the King of England." Barillon was also directed to complain that Dongan had hoisted English flags on the Iroquois villages, and to demand "precise orders" from James to "confine himself within the limits of his government, and to observe a different line of conduct towards Sieur de Denonville." It does not appear that the "precise orders" which Louis asked of James were given.*

Early in August, Denonville landed at Quebec with a large re-enforcement of troops, and went to Fort Frontenac, where he established a garrison. In his dispatches to Seignelay, he declared that a war with the Iroquois was inevitable; that Englishmen, led by French deserters, were trading with the Ottawas; and that it was necessary to subdue the Senecas, and establish good French posts at Niagara and on Lake Erie, so as to check both the English and the Indians. The French king should make himself "absolute master" of Lake Ontario, which the English coveted; and "nothing, save the power alone of the Iroquois, prevents them having posts there, inasmuch as it is quite easy to go from Manatté and Orange to Lake Ontario on horseback—the distance being only one hundred leagues through a beautiful country." Denonville also desired the Jesuits in Canada to send their Father Millet, lately of the Oneida mission in New York, to Fort Frontenac, to be interpreter there, and co-operate with Lamber ville, who yet lingered among the Onondagas. This was accordingly done. But Denonville, adopting the suggestion of Duchesneau in 1681, urged that "the most certain safe-

CHAP. IX.

1685.

10 March.
Denonville's instructions.

10 March.

20 August.

3 Septem.

12 Novem.

13 Novem.

Denonville to Seignelay.

lay.

French policy proposed.

* Col. Doc., ix., 269-272, 301; Charlevoix, II., 323, 324; Garneau, I., 256; La Montan, I., 63; Doc. Hist., I., 121. The French government was so mortified with De la Barre that the copy of his treaty at La Famine, now in the archives of the Marine at Paris, is indorsed by Seignelay, "*These are to be kept secret!*" Col. Doc., ix., 236; Doc. Hist., I., 77. As to the orders which Louis asked James to give to Dongan, nothing appears in Dalrymple, or Fox, or Clarke; compare Charlevoix, II., 329, 330; Col. Doc., v., 731; Colden, I., 44, 250.

CHAP. IX. guard against the English of New York would be to buy it
 1685. from the King of England, who, in the present state of his
 affairs, will doubtless stand in need of the king's money.
 We should thus be masters of the Iroquois without a war."
 In the light of Quebec, Denonville reasoned well.*

13 October.
 Dongan
 and De-
 nonville.

Denonville quickly notified his arrival to Dongan, and
 complained of the harboring of Canadian deserters in New
 York—alluding probably to La Fontaine and others. In
 his reply, Dongan charged De la Barre with having "med-
 dled in an affair that might have created some indifference
 between the two crowns;" and that, as to the fugitives
 from Canada, they would be surrendered to the proper of-
 ficers of that government whenever sent for.†

New Jer-
 sey, Reid,
 and Scot.

New Jersey continued to prosper at the expense of New
 York, yet not to the degree expected by its proprietors.
 To arouse more interest in Scotland, George Scot, of Pit-
 lochie, following John Reid, published in Edinburgh a
 pamphlet entitled "The Model of the Government of the
 Province of East New Jersey, in America," in which he at-
 tractively set forth its condition, and refuted objections to
 emigration. With a ship-load of colonists—many of whom
 were exiled by Perth and his Privy Council for having
 taken part in Argyll's rebellion—Scot embarked for the
 land which he had done so much to make so favorably
 known. The author died at sea, leaving his printed work
 immortal. Perth Amboy was now made the seat of gov-
 ernment instead of Elizabethtown. Dyer, who had been
 appointed surveyor general of the king's customs in his
 American Plantations, was admitted by Governor Lawrie
 to discharge his duties in New Jersey. But he soon com-
 plained to the commissioners of the customs at London,
 "that when he prosecuted vessels, the juries found their
 verdicts against the most undoubted facts."‡

August.

April.
 Dyer.

June.

By this time James the Second had settled the affairs of
 his kingdom greatly to his own satisfaction. Domestic re-
 bellions, which menaced his throne, had been crushed; and

* Col. Doc., ix., 165, 265-268, 273-286, 297; Doc. Hist., I., 123-126; La Fontaine, i., 68;
 Charlevoix, ii., 323-326, 335; Shea's Missions, 369; Quebec MSS., iv. (ii.), 420; *ante*, 491.

† Col. Doc., ix., 275, 290-293; Charlevoix, ii., 228; *ante*, 420.

‡ Wodrow, iv., 216, 220-223, 332, 333; Whitehead's East Jersey, 104-109, 115, 231-233;
 Contributions, 23-42; Learning and Spicer, 175, 183; Chalmers's Ann., i., 621; Mass. Rec.,
 v., 520; Penn. Col. Rec., I., 148, 197, 198, 209, 210, 211; Hist. Mag. (ii.), I., 57-59; N. Y. Col.
 Doc., iii., 354, 392, 403; *ante*, 339, 392, 412.

victims of the Scotch Privy Council, and the remnant who escaped the tender mercies of Kirke's "lambs" in the southwest of England, dangerously crowded the ships bound to the American Plantations. And now the king could think of the deferred affairs of his colonies. The most pressing of these seemed to be the establishment of a government in Massachusetts, where, for more than nine months since its charter had been canceled, local authority had been administered by doubtfully appointed officials. But the Plantation Committee moved slowly. They seem to have been aroused by the letters of the Corporation of New York, and of Dyer, the surveyor of the king's customs in East Jersey, complaining of the inconvenience of the existing arrangements there. Accordingly, they recommended that writs of Quo Warranto should be prosecuted against the proprietors of East and West New Jersey, and of Delaware, because it was growing prejudicial "that such independent governments be kept up and maintained without a nearer and more immediate dependence" on the crown. Quakers and Roman Catholics—Penn, and Perth, and Baltimore—were alike involved. They were all now the subjects of a new sovereign. Randolph having exhibited articles against the charter officers of Connecticut and Rhode Island, the Plantation Committee also recommended that similar writs should be issued against those corporations. James approved these recommendations, and directed Sir Robert Sawyer, his attorney general, to proceed against Connecticut and Rhode Island "forthwith," and against the several claimants of East and West Jersey and of Delaware, "if he shall find cause."^{1685.}

CHAP. IX.

1685.

James takes up colonial affairs.

15 July.

17 July. Connecticut, Rhode Island, Jersey, and Delaware.

18 August. Randolph's advice.

2 Septem.

Randolph now urged that "a temporary Government" should be established in Massachusetts, by the king's commission, "to the best disposed persons upon the place, until such time as his Majesty's Governor General shall be dispatched from hence to take upon him the government of all the Colonies in New England." He even named candidates for offices, and suggested a joint Assembly, in which the people of Massachusetts, Plymouth, Maine, and New

* Col. Dec., iii., 361, 362, 363; Chalmers, i., 278, 297, 391-394, 371, 621; Arnold, i., 481; Palfrey, iii., 452, 505-508; R. I. Rec., iii., 176-177; Col. Rec. Conn., iii., 347-352; Dalrymple, ii., 52; Burnet, i., 647-651; Wadrows, iv., 216-222; Mackintosh, 14; Macaulay, i., 565, 628-630; *ante*, 426, 432.

CHAP. IX. Hampshire should be represented. But, in spite of the opinions of Sawyer and Finch, his attorney and solicitor general, James expressly directed "that no mention of an Assembly be made in the Commission." This, however, was only following out the order of the late king in November, 1684. Joseph Dudley, for whose loyalty Dongan vouched, was accordingly appointed president, and seventeen others counselors, of that part of New England including Massachusetts, New Hampshire, Maine, and the Narragansett Country, or the King's Province, to govern the same until the "chief Governor" should arrive. As his special reward, Randolph had his previous appointment by Charles confirmed by James's commission to be "Secretary and sole Register" of this territory. Moreover, as the Duke of York's personal interest in the revenues of the post-office was now vested in his crown, Lord Treasurer Rochester appointed Randolph, whose attention had been awakened by Dongan's movement, to be deputy postmaster of New England—apparently the first instance of the kind in American colonial annals.*

Septem. While thus arranging a temporary government in New England, James took care to announce in his Privy Council his resolution "that the negroes in the Plantations should all be baptized; exceedingly declaiming against that impiety of their masters prohibiting it, out of a mistaken opinion that they would be, *ipso facto*, free." This determination of the king was afterward practically enforced in the Instructions to his colonial governors. It appears to have been suggested by the second article of the famous "*Code Noir*," which Louis had just published at Versailles, and which required all slaves in the French colonies to be baptized and taught in the Catholic religion.†

The King of France now took a step which moved both

* Col. Doc., iii., 356, 364, 365, 379; Chalmers, i., 417, 418, 419, 463; R. I. Rec., iii., 178, 195, 196, 200; Mass. H. S. Coll., v., 244; xxvii., 148, 149, 161, 162; Hutch. Mass., i., 341; C. O. B., 543, 557, 559, 560; Belknap, i., 185, 186; Douglas, i., 413; Palfrey, iii., 395, 482-485; Force's Tracts, iv., No. S, p. 13, 14; *ante*, 419.

† Evelyn, ii., 245; Anderson's Col. Ch., ii., 263; Long's Hist. of Jamaica, iii., Appendix; Oldmixon, ii., 130; Burk. H., 129, 130; Martin's Louis XIV., i., 489, 490; Hurd's Law of Freedom and Bondage, i., 165, 185, 186, 210, 281; Col. Doc., iii., 374, 547. In Valentine's Manual for 1861, 649-664, are numerous instances of the marriages of negroes with negroes by the Dutch ministers in New York, from 1642 to 1683; and several children of such marriages appear to have been baptized: Val. Man., 1863, 738-834. In 1667, Virginia enacted that baptism did not free slaves from bondage: Henning, ii., 269; Hurd, i., 222; Anderson's Col. Church, ii., 344.

Europe and America. His grandfather, Henry the Fourth, CHAP. IX. had made an edict at Nantes in 1598, which granted to Protestants full liberty of conscience, and many privileges they had not before enjoyed in the French kingdom. This edict had been respected by Louis the Thirteenth, by Richelieu, and by Mazarin. But, after the death of Colbert, and the secret marriage of Louis the Fourteenth with Frances de Maintenon, a great change happened. Roman ideas took the place of Protestant ideas. Huguenots, protected by Henry, were persecuted by Louis, who sent his dragoons to convert them to the Romish doctrine. At last the king 17 October revoked his predecessor's Edict of Nantes. The consequences of this act were immediate and immense. Brutal persecutions drove more than two hundred thousand of her million and a half of Protestants out of France. The refugees sought new homes in England, Holland, Prussia, and America, where they introduced unknown French arts and industry. Scorning thralldom, genius renounced allegiance; and Schomberg, Basnage, Rapin, with a host of others, under freer skies, gave their talents and their gallantry to help the retributive humiliation of the vainglorious persecutor of their faith.*

William Penn had meanwhile been employed in helping himself at Whitehall. Penn was an uncommonly adroit and selfish Englishman. He knew where, when, and how to touch his sovereign's weaknesses. And he had the luck to touch James, to his own great gain. Yet, in his controversy with Lord Baltimore about the undefined boundaries of Maryland, William Penn had on his side the advantage of historical truth. When the case was brought to the king for decision, the rival claimants were politically equal. One was a Romanist, the other a Quaker. So James took up the question. As Duke of York he had, since 1669, denied Baltimore's claim to the Delaware territory; and in 1682 he had conveyed it to Penn. After patient hearings, the Plantation Committee reported that Lord Penn successful with James in England. Baltimore's patent granted "only land uncultivated and inhabited by Savages;" whereas the territory in dispute had

* Anderson on Commerce, ii., 568-571; Lavall's, iii., 257-263, 316; Martin's Louis XIV., i., 534-538; ii., 59-56; Anderson's Col. Ch., ii., 329-331; Wodrow, iv., 319-351; Burnet, i., 655; Macaulay, ii., 13-17; iii., 124; Evelyn, ii., 253, 254; Arnold, i., 495-497; Palfrey, iii., 453; N. Y. Col. Doc., iii., 399, 426, 450, 650; ix., 599, 312, 425, 509, 540, 549.

CHAP. IX. been inhabited and planted by Christians before his grant. Delaware, therefore, did not form a part of Maryland.

1685.

13 Novem.
Decision
about the
Delaware
territory.

But, to end differences, the committee recommended that the land between the Chesapeake and the Delaware should be divided into two equal parts, of which the half nearest the Delaware should belong to the king (or to Penn), and that nearest the Chesapeake remain to Lord Baltimore. This report was approved by James in council, who ordered the division to be made accordingly. This decision established the original title of the Dutch as they maintained it in 1659; while it denied the rightfulness of the Duke of York's patent for New Netherland in 1664, and "invalidated the reasonings upon which England had always contended for American sovereignty."*

9 July.
Press cen-
sorship re-
vived in
England.

Perhaps the most important result of Penn's visit to England was the introduction of the art of printing into the middle colonies of British America. Up to this time the only printing-press in the English-American Plantations had been the one in Massachusetts, which had always been under Puritan censorship. A new act of Parliament had just revived the censorship of the English press, which had expired in 1679. Freedom of printing was not one of the ideas of that age. But the necessity of the printer's art was every where felt. That necessity had moved the council of Pennsylvania, when, in July, 1684, they "left to the Governor's discretion to have the laws and charter printed at London." So the proprietor, while there, engaged "a friend," William Bradford, to set up a printing-press in Philadelphia. Bradford was then twenty-two years old, born in Leicestershire, and said to have gone, as a stripling, to Pennsylvania with Penn in 1682. He was now married to a daughter of Andrew Sowle, a distinguished Quaker printer, of Grace Church Street, in London, to whom he had been an apprentice. George Fox therefore wrote to several eminent Quakers in America, that "a sober young man, whose name is William Brad-

6 August.

* Col. Dec., ii., 58-100; iii., 186, 239, 340, 342-347, 362, 363; Chalm., i., 371, 650, 651, 661; Hazard's Reg. Penn., ii., 202, 203, 225; Proud., i., 290-295; ii., 208-211; Grahame, i., 327, 328, 321; Bancroft, ii., 393, 393, 394; Dixon, 222-227; Macaulay, i., 502-505, 650; ante, 159, 164, 367, 393; vol. i., 606-669. The boundary between Pennsylvania and Maryland was run from Delaware westward, between 1763 and 1768, by Charles Mason and Jeremiah Dixon, and is now popularly known as "Mason and Dixon's line;" see interesting papers on this subject in Hist. Mag., ii., 37-42; v., 199-202.

ford, comes to Pennsylvania, to set up the trade of printing Friends' books." On reaching Philadelphia, Bradford quickly started his press; the first work of which seems to have been an Almanac for the year 1686, compiled by Samuel Atkyns. This almost unique curiosity at this day was sharply censured by the critics of Pennsylvania. It stated, as a chronological fact, that at a certain day in 1682 was "The beginning of government here by the Lord Penn." These words provoked much Quaker wrath; and the temporary subordinate of the absent proprietor—without whose active friendship many probably would never have seen Philadelphia—ordered Atkyns "to blot out the words *Lord Penn*" from his Almanac, and charged Bradford "not to print any thing but what shall have license from the council."*

CHAP. IX.

1685.

Bradford begins to print in Philadelphia.

1686.

9 Jan'y.

Meanwhile an order of the New York Council in March, 1684, requiring the several towns in the province to renew their patents, had caused much anxiety. Dongan had a double motive to enforce it; for the king's revenue from the new quit-rents would be increased, and he would himself gain a harvest of fees. The towns did not delay when they saw they must act. Hempstead and Flushing made large grants of land to the governor, and obtained advantageous patents. Flatbush also got a new charter. After a long negotiation about boundaries, Newtown likewise procured Attorney General Graham's approbation to a patent, which the council resolved should be the model after which all those for other townships should be drawn. Accordingly Brooklyn, and all the other towns on Long Island, with the exception of Huntington, in the course of this year obtained new patents from the governor. This result, however, was not gained without opposition. Easthampton was especially stubborn; and Mulford and others riotously protested against any interference with their old patents. James, the minister of the town, preached a stirring sermon against those who acted under the governor's order. The offenders were summoned to New York, where Attorney General Graham filed informations against

Dongan granted land by Hempstead and Flushing.

20 Febr'y. New patents for towns.

May to December.

6 October.

17 October.

19 Novem. Easthampton.

* Penn. Col. Rec., i., 74, 82, 117, 165; Historical Mag., iv., 52; vii., 70, 71; viii., 274-276; Thomas's Hist. Print., ii., 7, 8, 91; Dixon, 208; Penn. H. S. Mem., i., 104, 105; Wallace's Address, 1863, 20-27; Statute 1 James II., cap. 17; Macaulay, i., 248, 279, 350; Lingard, xiii., 165, note; ante, 82, 145, 338.

CHART. IX. them. They came accordingly, and humbly asked pardon for what they had done, which was granted; and, in the end, Easthampton was glad to take out "a more full and liberal" patent from Dongan.*

1686.
9 Decem.

24 April.

27 April.
New charter for the city of New York.

May.

Rensselaerwyck patent.

29 July.
Release of the Van Rensselaers.

The Corporation of New York had for some time desired a new charter from the king, confirming their old privileges, and granting to them all the vacant land in and about the city. As Bayard, its mayor, was one of the council, and Graham, its recorder, attorney general of the province, a draft of the desired patent was quickly submitted to the municipal authorities, who agreed to give Dongan three hundred pounds, and Secretary Spragg twenty-four pounds, as their official fees. The engrossed charter, having been read and allowed in council, was accordingly signed by the governor, who caused it to be sealed with the old provincial seal which the Duke of York had sent out to Lovelace in 1669, and which was yet the only one that could be used. The instrument itself is too familiar to need a particular description here.†

Soon after signing the metropolitan charter, the governor went up to "settle his Majesty's business" at Albany, the inhabitants of which were anxious to be incorporated. Dongan had granted a patent for Rensselaerwyck on the 4th of November, 1685, to its Dutch proprietors, for which they paid him two hundred pounds. But after their patent was sealed it was found inconvenient, because it included Albany, which, being the second town in the government, should not "be in the hands of any particular men." Through the influence of Graham, Palmer, and Van Cortlandt, the Van Rensselaers now released "their pretence to the town, and sixteen miles into the country for Commons to the King."‡

The governor accordingly executed a charter agreed upon between himself and the magistrates at Albany, for

* Council Min., v., 63, 148, 161, 183, 188; Col. MSS., xxxi., 121; xxxii., 26; xxxiii., 66-80, 99; Doc. Hist., iii., 213-215; Wood, 41, 103, 104; Hedges' Address, 20, 88, 95; Thompson, i., 315, 336, 414, 468; ii., 14-17, 52, 105, 185, 193, 223; Riker's Newtown, 106-113; Stiles's Brooklyn, i., 200-202; Hoffman, i., 95; Patents, vol. v.; Col. Doc., iii., 333, 401, 412.

† Col. Doc., iii., 360, 361, 365, 412, 425, 427, 495; iv., 812; v., 369; Council Min., v., 155; Min. of N. Y. Common Council, i., 272, 299, 309; Val. Man., 1844, 318; 1858, 13-24; Donlap, ii., App. cxxxiv.; Hist. Mag., vi., 375; Doc. Hist., iv., 1^a; Patents, v., 381-400; Hedges' man's Treatise, i., 20; *ante*, 158, *note*, 409, 427.

‡ Patents, v., 228-235; Munsell's Annals, iv., 143; Barnard's Sketch, 150-155; Doc. Hist., iii., 552; Col. Doc., ii., 553; iii., 224, 226, 269, 270, 351, 401, 410, 411, 450, 493; *ante*, vol. i., 535; ii., 258, 287.

which they promised him three hundred pounds. By this instrument Dongan incorporated the "ancient town" of Beverwyck, or Willemstadt, or Albany, as a city, with large franchises, including the management of the Indian trade; and appointed Peter Schuyler to be its first mayor; Isaac Swinton, its recorder; Robert Livingston, its clerk; Dirk Wessels, Jan Jansen Bleecker, David Schuyler, Johannes Wendell, Levinus van Schaick, and Adrian Garritse, its aldermen; Joachim Staats, John Lausing, Isaac Verplanck, Lawrence van Ale, Albert Ryckman, and Melgert Wissantse, its assistants; Jan Becker, its chamberlain; Richard Pretty, its sheriff; and James Parker, its marshal. The mayor and the sheriff were afterward to be appointed annually by the governor; the recorder and the town clerk to hold office during his pleasure; and the aldermen and assistants to be annually elected by the inhabitants on the Feast of Saint Michael, or the twenty-ninth day of September. The charter, being brought up to Albany, "was published with all the joy and acclamations imaginable;" and the officials named in it were duly sworn.*

CHAP. IX.

1686.

22 July.
Albany in-
corporated
as a city.26 July.
The Al-
bany char-
ter publish-
ed.

Dongan also appointed Robert Livingston to be sub-collector and receiver of the king's revenues at Albany, which, with his place as town clerk, "might afford him a competent maintenance." Appointed by Andros to be secretary of his Indian Commissioners at Albany in 1675, Livingston secured colonial position by marrying, in 1683, Alida, widow of Domine Nicolaus van Rensselaer, and a sister of Peter Schuyler. Gifted with remarkable acquisitiveness, and enjoying peculiar official advantages, he learned that there were valuable lands on the east side of the Hudson, just below those of the Van Rensselaers, which had never been granted by the government of New York. So Livingston quietly secured the Indian title to all the territory from Roeloff Jansen's Kill, opposite Catskill, to a point opposite the Saugerties' Kill, with all the lands further east-

12 July.
Robert
Livingston
made com-
fortable.

* Patents, v., 446-478; Munsell's Annals, ii., 62-92; viii., 205-216; Col. Doc., iii., 401, 407, 411, 426, 434. As to the families of Bleecker, Van Schaick, and Livingston, see Holgate, 87-98, 141-190; and as to that of Schuyler, see Munsell, ii., 177; O'Call., ii., 177. Denonville, the governor of Canada, writing to Seignelay from Montreal, in August, 1687, reported that, by his charter to the city of Albany, Dongan had, "for money, divested himself of the finest right he possessed—that of nominating the magistrates and other officers, whereby he was enabled to execute the orders of the King of England. Thus he is no longer master of the merchants." Col. Doc., ix., 237.

CHAP. IX. ward toward Massachusetts and Connecticut, called "Tachkanick." He then got Dongan to give him a patent for
 1686. this vast region, with manorial privileges; and thus the
 22 July. shrewd Scotch clerk of Albany became one of the largest
 Living- landowners in New York.*
 ston's pat-
 ent.

8 May. After his first winter's experience, the new governor of
 Denon- Canada informed Seignelay of Dongan's enterprise in trad-
 ville's Ca- ing with the Western savages by Albany parties, led by
 nadian pol- Canadian deserters. The only way to check this would be
 icy. to establish a strong French post at Niagara. Moreover,
 Fort Frontenac, at Cataracouy, should be made a magazine
 to aid an attack on the Senecas, who must be humbled.
 The Iroquois, he declared, "maintain themselves only by
 12 June. the assistance of the English." Again, Denonville insisted
 "that the English are the principal fomenters of the inso-
 lence and arrogance of the Iroquois, adroitly using them to
 extend their sovereignty," which they pretended covered
 Lakes Ontario and Erie, "and the whole territory towards
 the Mississippi."†

To counteract Denonville's policy, and to maintain his
 own, Dongan summoned the Five Nations to meet him at
 15 April. Albany. A new order had been made, forbidding all
 The Five traffic with the Indians, unless the governor's license had
 Nations been obtained. The commissaries there represented that
 summoned its trade had been diminished by the intrigues of the French
 to Albany. among the Indians, and asked to have the French priests
 removed from their castles, and to have them replaced by
 "English, capable to instruct and continue them in the
 knowledge of the Christian religion." Dongan accordingly
 promised to establish a church at "Serachtague," or
 Saratoga, for such Iroquois as should come back from Can-
 11 May. ada, and to ask King James to send over English priests as
 Dongan soon as possible. He also warned the Five Nations of
 wishes En- Denonville's purpose to attack them; and, promising his
 glish Jesu- friendship, advised retaliation. Lamberville, the elder
 its to re- French missionary at Onondaga, had endeavored to pre-
 place the vent this meeting at Albany, and appealed to Dongan's re-
 French sages. among the
 savages.

10 May.

* Pat., v., 401-499; Dec. Hist., iii., 367-465; Col. Doc., iii., 401; iv., 251, 514, 791, 822; Col. MSS., xxxiii., 266; Council Min., v., 117; Ord., Warr., etc., xxxiiij., 13, 14; Soudewick's Liv.; Hunt's Liv.; *ante*, 2-7, 200.

† Col. Doc., ix., 287-296; Quebec MSS. (ii.), v., 159-252; Dec. Hist., i., 126-128; Charlevoix, ii., 327, 328, 332; *ante*, 465, 429, 432.

ligious sympathy. The governor replied that he would protect him from any danger he might apprehend from the Indians; the question as to the dominion over whom must be left to the kings of England and France. At the same time he invited the younger Lamberville to Albany, and even asked the Onondagas to send him there; but the missionary staid at his post. Dongan also wrote to Denonville that his preparations at Cataracouy had alarmed the Iroquois; and he warned him not to attack "the King of England's subjects," nor to build his intended fort "at a place called Olmniagero [Niagara], on this side of the Lake;—within my master's territories, without question." War would not begin on the side of New York; and the governor of Canada should "refer all questions home, as I have done."^{*}

Denonville now appealed to Dongan, as a Roman Catholic, for aid in converting the savages, and asked him to return deserters from Canada; promising reciprocity, and alleging that he had done all he could to find and send back two New York negroes, whom Tesschenmaecker, the Dutch clergyman at Schenectady, supposed to be harbored in Canada. A few days afterward, Denonville asserted that the supplies sent to Cataracouy should give no umbrage; that the Iroquois were treacherous; and that the pretensions of the English to their country were not as good as the actual possession by the French, who had long maintained establishments there, in regard to which "our masters will easily agree among themselves, seeing the union and good understanding that obtain between them." Dongan, in reply, complimented Denonville at the expense of De la Barre, and promised to do all he could to prevent the Iroquois harming the French missionaries, and also to surrender all refugees from Canada.[†]

Informed by the Minisinks of the designs of the French, Dongan summoned the Five Nations to send delegates to

^{*} Col. MSS., xxxiii., 234; Col. Doc., iii., 394, 395, 418, 419, 454, 455, 456, 464; ix., 296, 297, 311, 392; Doc. Hist., i., 128, 129; Charlevoix, ii., 329, 330, 331, 332; Shea's Missions, 314. Colden does not mention this meeting at Albany. The date of Dongan's reply to Lamberville's letter, in Col. Doc., iii., 464, and Doc. History, i., 143, 144, is wrongly given as 1687 instead of 1683: compare Col. Doc., ix., 311. Dongan was not at Albany in May, 1687: Col. MSS., xxxv., 64.

[†] Col. Doc., iii., 456-461; ix., 297, 312; Doc. Hist., i., 129, 130, 131; Charlevoix, ii., 329-331; Shea's Missions, 314; Warburton, i., 406; *ante*, 389, 432.

CHAP. IX.

1686.

20 May.

22 May.
Dongan
warns
Denon-
ville.5 June.
Denonville
to Dongan.

20 June.

26 July.
Dongan's
reply to
Denon-
ville.

7 August.

CHAP. IX. New York. A conference was accordingly held at Fort James, when the governor told the Iroquois that the King of England would be their "loving father;" that they should not meet the French at Cataracouy; that no Europeans would be allowed to go to the Susquehanna River and trade there without Corlaer's consent; that he was about sending other expeditions to the Western savages, and wished some from each Iroquois nation, especially the Senecas, to accompany them; that he would provide good land and an English Jesuit priest for all the Iroquois Christians at the Sault Saint Louis who would return to New York; that he would also establish English Jesuits among the Five Nations, who, he wished, would dismiss their French missionaries; that they should send to him all Frenchmen who should visit their country; and finally he said that if they were attacked by the Governor of Canada, "Let me know; I will come; it will be with me he shall have to settle." The next day the several nations answered in their turns. Although Albany was the "appointed place" to talk, they had cheerfully come to New York; and they were glad that they were to be "no more Brothers, but looked upon as children." As to trading on the Susquehanna, they avoided committing themselves; but the Mohawks—from whom most of the proselytes at the Sault Saint Louis had gone—earnestly desired that Dongan would "order that land and a Priest may be at Saraghtoge."*

English in-
stead of
French Jes-
uits.

1 Septem.
Reply of
the Five
Nations.

An English
priest
wanted at
Saratoga.

October.
Lambert-
ville de-
ceived by
Denon-
ville.

8 Novem.

Detecting this movement, Lamberville hastened to Denonville, who sent him back, with instructions "to assemble all the Iroquois nations, next spring, at Cataracouy, to talk over our affairs;" and also to dispatch his younger brother James to Canada, while he remained alone among the Onondagas. "The poor father knows nothing of our designs," wrote Denonville to Seignelay, "and I am sorry to see him exposed." And well might the marquis-governor feel "sorry;" for his purpose was to use the adroit but sincere missionary as the instrument to accomplish one of the vilest stratagems which ever marked the policy of France in North America.†

* Council Min., v., 163, 165-170; Charlevoix, ii., 323, 334; Col. Doc., iii., 335, 489; ix., 302, 303, 310, 320, 302; Doc. Hist., i., 139, 141, 142, 265, 266. Colden does not give any account of this interview at New York.

† Col. Doc., iii., 455; ix., 298; Doc. Hist., i., 134; Charlevoix, ii., 334, 335; Shea, 315.

Denonville sent Dongan a caustic reply, charging him with duplicity in his transactions with the Iroquois; wrongfulness in sending English parties to Michilimackinac; and want of religion in furnishing the savages with "Eau de vie," which converted them into demons, and their cabins "into counterparts and theatres of hell." With Irish wit, Dongan retorted that he had "only permitted several of Albany to trade among the remotest Indians," and hoped that they would be civilly treated by the French, among whom they intruded; while as to furnishing liquors to the savages, "certainly our Rum doth as little hurt as your Brandy; and in the opinion of Christians, is much more wholesome."*

CHAP. IX.

1686.

1 October.
Denonville
to Dongan.1 Decem.
Dongan's
retort.

Dongan did not fail to show that he was as bold as his French rival. The expedition he had sent from Albany the last year having been so successful, he again commissioned Captain Rooseboom to go with another party and trade with the Ottawas. Rooseboom's company was made up of active young men, chiefly Albanians, among whom were the sons of Arent Schuyler, and Jan Jansen Bleecker. The refugee La Fontaine accompanied them. From Schenectady they traveled westward in canoes, twenty of which, "freighted principally with rum," were reported by James de Lamberville as having passed "Galkonthiage," near the head of Oneida Lake. This party was to winter among the Senecas, and go on to Michilimackinac in the spring. It was accompanied by two savages from each of the Iroquois tribes, as Dongan had desired.†

13 Septem.
Rooseboom
and others
again sent
to the
West.

October.

Another party was organized to start from Albany early in the spring, under the command of Major Patrick MacGregorie, a Scotch officer, who had served in France, and whom Dongan had made ranger general of Staten Island, and muster master general of the militia of the province. MacGregorie was commissioned by the governor to

15 June.
16 Septem.
21 Septem.

4 Decem.

* Col. Doc., iii., 461-463; ix., 298, 312, 979, 1073; Doc. Hist., i., 131, 132, 133, 140; Wolley's Two Years, etc., 55, 47; *ante*, 146, 332.

† Col. Documents, iii., 456, 437, 463, 476, 489, 513; ix., 302, 308, 802, 816; Doc. Hist., i., 167; Col. MSS., xxxiii., 256, 292; *ante*, 309, 429, 432, 442. Johannes, the eldest son of Captain Jan Jansen Bleecker, was eighteen years old when he left Albany with Captain Rooseboom on the eleventh of September, 1686. He was taken prisoner by the Canadians in the following May, and did not return to Albany until "after the second sermon," on Sunday, the 23d of October, 1687. Johannes Bleecker became recorder of Albany in 1700, and mayor in 1701; and was member of the Provincial Assembly in 1701 and 1702: Holgate, 91; Munsell, iv., 112, 122, 142, 145, 153; *ante*, vol. i., 625, *ante*.

CHAP. IX. be commander-in-chief not only of his own party, but of that of Rooseboom, which he was to overtake, and lead both to the Ottawas country and back again to Albany. MacGregorie's party also sent westward. Viele, the interpreter, accompanied MacGregorie, who was ordered "not to disturb or meddle with the French."^{*}

13 October. In his dispatches home, Denonville complained of Dongan's proceedings, and insisted that Canada would be lost to France if war were not made against the Iroquois the next year. The population of the colony was now a little over twelve thousand, and its military strength only eight hundred men. Troops must be sent from France, and the post at Chambly be strengthened, so as to hold the Mohawks in check, while the main attack should be made on the Senecas. A strong fort should be established at Niagara, and that at Detroit be maintained, so as to command the Western lakes. Fifty or sixty Huguenots from the French West Indies had lately settled themselves in New York, and some had come to Boston from France. These were "fresh material for banditti." Exasperated at Dongan's trading-parties to the West, Denonville asked the minister to send him specific orders, "for I am disposed to go straight to Orange, storm their fort, and burn the whole concern."[†]

Population of Canada. The affairs of Pemaquid had meanwhile fallen into confusion; but as Dongan was unable to go there, it was determined in council to send Judge Palmer thither with large powers. West was likewise deputed by Spragg to act for him as secretary at "Pemaquid, in the County of Cornwall." Dongan also licensed Spragg, Graham, and others to take up parcels of land in that country. On reaching Pemaquid, Palmer and West tore "all in pieces" the old grants and settlements of Andros. "They placed and displaced at pleasure, and were as arbitrary as the Great Turke." Extravagant grants of land were made chiefly to Dongan's favorites. As they had been directed to claim all the territory eastward to the Saint Croix as

Huguenots sheltered in New York and Boston.

Denonville wishes to burn Albany.

Pemaquid.

10 June.

10 June.

September. Palmer and West arbitrary as "the Great Turke" in Maine.

* Col. Doc., iii., 395, 431, 437, 442, 473, 476, 483; ix., 308, 318; Doc. Hist., i., 100; Col. MSS., xxxiii., 137, 138, 236, 298; Council Min., v., 175; Licenses, etc., v.

† Col. Doc., ix., 296-318, 501, 802; Col. MSS., xxxiii., 219-298; Quebec MSS. (6L), v., 273-345; Doc. Hist., i., 132-139; Charlevoix, ii., 333-336; Garneau, i., 259, 260. Dongan reported that the population of Canada, in 1685, was 17,000; Col. Doc., iii., 236; Chalmers, i., 609. This is an error of 5000 (17 for 12), as in 1686 Denonville reported a census of 12,357; Col. Doc., ix., 316.

belonging to New York, the commissioners seized from Saint Castin, at Penobscot, a quantity of wine and brandy belonging to John Nelson, of Piscataqua. This seizure was at first thought good; but, at the instance of Louis's ambassador at London, James ordered the "chearing commodity" to be restored. In the autumn Palmer and West returned to New York, and reported their proceedings at Pemaquid. Disgusted with the trouble and costliness of that distant dependency, Dongan prayed the king to annex it to Massachusetts, and, in its place, to add Connecticut and Rhode Island to the government of New York.*

CHAP. IX.

1686.

23 July.
Saint Castin's liquor seized.
Novem.

Dongan
disgusted
with Pemaquid.

Randolph had meanwhile returned to Massachusetts in the *Rose* frigate, accompanied by Robert Ratchliffe, an Episcopal clergyman recommended by the Bishop of London. For the first time the Protestant service of the Church of England was celebrated in the Boston Town Hall, with Bibles and Prayer-books provided by James the Second. The king's commission was published; and President Dudley, with his associate counselors, quietly replaced the magistrates of the late corporation. Instead of Sewall, who had controlled the Puritan colonial press, Randolph was made its censor; and Massachusetts sullenly sunk into her condition as a part of her sovereign's territory of New England. While a baffled oligarchy mourned its loss of power, James's new government of his colonies assumed its duties, "with the general consent and applause of the people."[†]

14 May.
Randolph again at Boston, and the English Church service celebrated.

26 May.
Dudley installed at Boston.

Randolph censor of its press instead of Sewall.

Although sectarian tyranny was quelled in Massachusetts, the older colony of Plymouth had departed from the liberal maxims of its founders. Quakers were taxed for the support of its Puritan ministers. Randolph expressed to Governor Hineckley his regret that, while their king had made conscience free in Massachusetts, it was restrained in Plymouth, "without any particular directions from White-

22 June.
Quakers unjustly taxed in Plymouth.

* Col. Doc., iii., 387, 391, 402; ix., 919; Council Min., v., 157, 156, 157, 182; Col. MSS., xxxi., 166; xxxiii., 47, 48, 249-253; Patents, vi.; Quebec MSS. (iii.), i., 134; Hutch. Mass., i., 370; Coll., 547, 548, 553-555; Mather's Magnalia, ii., 556, 559; Force's Tracts, iv. (2), 57; Maine H. S. Coll., v., 89-91, 107-120; Col. Rec. Conn., iii., 365, 367; Williamson, i., 551-554; Palfrey, iii., 533; *ante*, 394, 407.

† Col. Doc., iii., 368; Col. Rec. Conn., iii., 351, 352; Hutch. Mass., i., 341-343, 350-353, 355, 356; Coll., 544-550; Mass. Rec., v., 452, 515-517; Anderson's Col. Church, ii., 454, 455; Col. Puritanism, 263; Dixon's Penn., 241; Palfrey's N. E., iii., 484-495, 500, 519; *ante*, 431. Why should Mr. Palfrey (iii., 519) say that Randolph "assumed to be censor of the press" in Massachusetts, when he only took the place of Sewall, who formerly controlled that press? See Hutch. Mass., i., 355; Mass. Rec., v., 452.

CHAP. IX. hall." With caustic logic he added: "It will be as reason-
 1686. able to move that your colony should be rated to pay our
 minister of the Church of England, who now preaches in
 Boston, and you hear him not, as to make the Quakers pay
 in your Colony."*

27 May.
Connecti-
cut claim-
ed by
James.

Without loss of time, Randolph wrote to Governor Treat, of Connecticut, that "his Majesty intends to bring all New England under One Government, and nothing is now remaining on your part but to think of an humble submission and a dutiful resignation of your Charter, which if you are so hardy as to offer to defend at law, whilst you are contending for a shadow you will in the first place lose all that part of your Colony from Connecticut to New York, and have it annexed to that Government; a thing you are too certainly informed of already." In tribulation, Treat besought Dongan to recommend Connecticut to the king's favor; suggesting that, if that colony must fall, it might be as easy to slide westward to New York as eastward to Boston; and that nothing said by Randolph had "at all prejudiced us against your Honor or your Government." Again Treat asked Dongan's "good advice."

14 June.
Treat ap-
peals to
Dongan.

3 July.

6 July.

The General Court at Hartford also begged the king to allow his colony to retain its charter, which would "be most for the profit" of the inhabitants; while the contrary would "be very prejudicial to them." The Massachusetts rulers had meanwhile prayed James's Plantation Committee that Rhode Island and Connecticut might be annexed to the old "Bay" colony. Jealous of Dongan, Dudley informed Treat that "the consideration of the new modeling and perfect settlement of all his Majesty's Provinces, from Pemaquid to New York, is now lying before his Majesty, and probable to have a sudden and lasting dispatch; and that your parts, as lying between the two seats of government, may be the more easily poised either way, if early solicited." Pyncheon and Winthrop, of the Massachusetts council, were dispatched to Hartford to urge this view. But Connecticut instructed an agent at London to defend the colony against her king's *Quo Warranto*; and put off Dudley with a sarcasm, while she sent a special mes-

1 June.

21 July.
Dudley
and Treat
against
Dongan.

27 July.

28 July.
24 August.

* Hutch. Mass., i., 356, 357; R. I. Rec., iii., 199; Arnold's R. I., i., 484, 485, 501, 502; Felt-
 frey, iii., 504, 522.

senger to New York to ask Dongan's "favorable aspect." CHAP. IX.
 The metropolitan governor replied, that "for subjects to stand upon terms with Princes, is not very proper;" that the best policy of Connecticut would be "a downright humble submission;" and that if that colony thought it convenient to be annexed to New York, every thing would be made pleasant. Quit-rents would be lightened; ports would be continued where they now were; there would be "no necessity of entering at New York, or coming hither for any, except such as shall be named to be of the Council and Assembly; and the Judges in their circuits shall bring the laws to your doors. I shall say nothing of Boston, or any other place. You know what this is; and I am sure we live as happily as any in America—if we did but know it. The condition of some of our neighbors will best commend us." Dongan wrote truly. He might have said more.*

1686.
 4 August.
 13 August.
 Dongan's
 reply.

While James's colony of Connecticut was thus coquetting with her wooers in Boston and New York, her sovereign at Whitehall was arranging her affairs to suit himself. In the previous November James had prorogued his Parliament, and then virtually annulled the Test Act of 1673 by stretching his prerogative so as to dispense with a statute of his realm.† And now he thought of New England, which Dudley and his council were temporarily governing. The king's attention had been drawn to the encroachments of the French upon the territory claimed by England in North America, and especially to their interference with the New England fisheries, of which Preston, his ambassador at Paris, had complained, but had gotten no satisfaction. It was therefore determined in the Privy Council that Connecticut, New Plymouth, and Rhode Island should be united with Massachusetts, New Hampshire, Maine, and the Narragansett country, and be made "one entire government, the better to defend themselves against invasion." This was good policy for En-

Jan'y.
 James's
 action at
 Whitehall.

* Col. Doc., iii., 368, 385-387; Col. Rec. Conn., iii., 207-213, 252-275; Hutch. Coll., 544-549; Chalmers, i., 419; Palfrey, iii., 494-511.

† Burnet, i., 667-671; Rapin, ii., 753, 755; Macaulay, ii., 35, 76, 80-84, 146, 209, 270; Hargraves's State Trials, vii., 611-646; *ante*, 291. It may interest Americans to know that Sir Edward Hales—whom James used as his instrument to procure a judicial decision that he could dispense with statutes—was appointed governor of Barbadoes in March, 1686, which office Hales exercised through his Lieutenant Stede, preferring to stay in England: Ellis's Correspondence, i., 89, 122, 207; Oldmixon, ii., 42.

CHAP. IX. gland. It was the despotic idea of consolidation. It was opposed to the republican system of confederation, as exemplified by the Helvetians and Batavians of Europe, and by the British colonists of New England. It was the antagonism of sovereignty and subordination. Consolidation was indeed the best mode of establishing in his colonies the king's direct government which Charles had adopted in November, 1684, and which James was now to enforce. It was charged, and it appeared to be true, that in some of the New England colonies there was less real popular liberty than there was in Old England. There certainly was less religious freedom in most of them. The reasoning of James was, that if the people of New England were not to govern themselves on democratic principles of general representation, they would be more equitably governed directly by the crown than by subordinate corporations, which justified their local tyranny by appealing to the grants of the crown. If there must be despotism, that of the sovereign of all Englishmen would be better than that of colonial oligarchies which, under English charters, claimed to rule in their own way all their fellow-subjects within their corporate bounds. In spite of the opinions of the crown lawyers, "that the right did yet remain in the inhabitants to consent to such laws and taxes as should be made or imposed on them," James had directed that there should be no mention of an Assembly in Dudley's commission. He now went a step further, and determined that the legislative and executive authority throughout New England should be conjoined in the same persons; "whereby a tyranny was established."*

Royal in
place of
colonial
despotism.

Sir Ed-
mund An-
dros ap-
pointed
governor of
New En-
gland by
James.

Who should be James's governor general to "regulate" New England was already settled. As Kirke could not be spared from commanding his "lambs" at home, the king chose Sir Edmund Andros as a more fitting instrument to do his will in America. This arrangement seems to have been known to Randolph when he brought over Dudley's temporary commission. There was every reason why Andros should be selected. James had chosen him, in 1674, to govern New York; and in 1678, as the duke's deputy,

* Col. Doc., iii., 579, 581; La Fotherie, i., 145; Charlevoix, ii., 302; Arnold, i., 434; Chalmers's Ann., i., 419; Rev. Col., i., 178; Macaulay, ii., 12; Palfrey, iii., 483, 485, 533, ante, vol. i., 361, 362; ii., 419, 434, 445.

he had recommended a strong royal government should be established in New England. Although "misrepresented as a Papist, because he was fond of prelacy," Andros—CHAP. IX. from his long American experience, his administrative ability, his irreproachable private character, and, above all, his soldierly notions of prompt obedience to orders—was just the agent to execute his king's arbitrary designs. Sir Edmund's worst enemies said that he had "large endowments of mind." Since his recall from New York, Andros had lived quietly in Guernsey. Yet his faithful service had not been forgotten by James, who, soon after his accession, promoted him to be the colonel of his daughter's (the Princess Anne's) regiment of horse.* 1686.

For more than twenty years James had been trying his "prentice hand" upon New York. The time had now come when he was to use his master hand on New England. The best English lawyers concurred in the opinion that the only way in which English authority could be exercised in English unchartered colonies was by their king's commission under his great seal. Indeed, there was no other mode of securing English supremacy beyond "the four seas." Without the king's great seal no English patent had life. With it came power. If that "mysterious" seal could quicken a royal charter, why could it not quicken a royal commission? If the king could delegate any of his prerogatives to any of his subjects, so as to make them proprietors or corporations, by charters under his great seal, he certainly could delegate similar authority to his governor by a commission under the same waxen symbol of his sovereignty. This logic seemed to be indisputable. So, by the advice of Sunderland, James commissioned Colonel Sir Edmund Andros to be captain general and governor-in-chief over his "Territory and Dominion of New England in America," which meant Massachusetts Bay, New Plymouth, New Hampshire, Maine, and the Narragansett country, or the King's Province. Andros's commission was drawn in the traditional form, settled by the Plantation Board for those of other royal governors in Virginia, Ja-

American
policy of
James the
Second.

3 June.
Andros's
commis-
sion.

* Chalmers, i., 419, 423; Douglas, ii., 247; Hatch, Mass., i., 342, 353, 354; Coll., 542, 547, 548; Palfrey, iii., 49, 517; Burnet, i., 647, 648; Mackintosh, 14; Col. Doc., ii., 711; iii., 263; Hist. Mag., viii., 247; N. Y. H. S. Coll. (1868), 366; Whitmore's Andros, 22, 23; ante, 316, 370, 419, 423, 424.

CHAP. IX. maica, and New Hampshire. Its substance, however, was much more despotic. Andros was authorized, with the consent of a council appointed by the crown, to make laws and levy taxes, and to govern the territory of New England in obedience to its sovereign's Instructions, and according to the laws then in force, or afterward to be established. Vice was to be discountenanced and virtue encouraged. "And for the greater ease and satisfaction of our loving subjects in matters of religion," added the king, "We do hereby will, require, and command that liberty of conscience be allowed to all persons, and that such especially as shall be conformable to the rites of the Church of England be particularly countenanced and encouraged."*

Liberty of
conscience
to "all
persons."

James's In-
structions
to Andros.

No Assem-
bly allow-
ed in New
England.

The king's instructions to Andros, which were also prepared by the Plantation Committee, followed the form of those given by the crown to its American governors: to Berkeley, of Virginia, in 1661; Culpepper, in 1679; and Howard of Effingham, in 1683; to Cranfield, of New Hampshire, in 1682; and to Sir Thomas Lynch, and Sir Philip Howard, of Jamaica, in 1681 and 1685. But Andros's orders differed from those models in important details.† They exhibit a singular picture of the mind of James:—"humane and severe, tyrannous and conciliatory; affecting an attention to the rights of the governed, while, by the same stroke, he removed the fence which secured them." This "fence" was a popular, a democratic "Assembly." Yet James should not be charged with having "removed" that which never existed. "The people" of Massachusetts, before the abrogation of the charter which a sectarian oligarchy misused, never had the share in local government which their fellow-English subjects in Jamaica, Virginia, Maryland, Pennsylvania, New Jersey, and

* Macaulay, ii., 523; Chalmers, i., 141, 142, 245, 419, 420, 464, 465, 463; Col. Doc., ii., 388; vii., 363; Force's Tracts, iv., No. 8, 1-14; Mass. H. S. Coll., xxvii., 129-149; R. I. Rec., iii., 212-218; Narrative of the Miseries of New England, 53; Mather's Magnalia, I., 175; Palfrey, iii., 512, 516.

† The Instructions of James the Second to Andros, in 1686, among the New England "Entries" in the British State Paper Office, have never been published. A synopsis of them is given in Chalmers's Ann., i., 420, 421, 463. Mr. Palfrey, in his third volume, page 515, erroneously states that they are in what he calls "*O'Callaghan Documents*" (apparently intending to refer to the "New York Colonial Documents" procured in Europe—1841-1844—by the agent of the state, and afterward printed by its order, iii., 743. This is too gross a blunder to be passed by. The instructions thus cited are dated 16 April, 1688, and are Andros's second, not his first general orders from the king, which Mr. Palfrey refers to in a note on page 532 of his third volume.

New York actually enjoyed. Although arbitrary in form, the Instructions of Andros were equitable in substance. Among other things, the governor was directed to allow no printing-press without his special license. But this was only extending to America the restrictive policy of the late act of Parliament. It was no colonial novelty; for the royal governors of Virginia had been similarly instructed—and the press in Massachusetts had almost always been under the restraint of spontaneous Puritan censorship.*

A salary of twelve hundred pounds sterling was assigned to Andros; and a peculiar local flag was devised for the territory under his government. At the same time, a great seal for New England was delivered to the governor, which bore "a remarkable motto" abstracted from Claudian: "NUNQUAM LIBERTAS GRATIOR EXTAT." The phrase was, just then, "the theme of every song, and, by the help of some perversion of Scripture, the text of every sermon" in England; and it has always been familiar to the friends of despotism—"Liberty is never more agreeable than under a pious king."[†]

To secure Andros in his government, two companies of regular soldiers, chiefly Irish Papists, were raised in London, and placed under his orders. One of these companies was commanded by Captain Francis Nicholson, who, although a Protestant, had not hesitated to gratify the king by kneeling during the celebration of the mass in the royal tent at the camp on Hounslow Heath. At the suggestion of the Plantation Committee, James also ordered that the fort and country of Pemaquid, "in regard of its distance from New York, be for the future annexed to and con-

CHAP. IX.
1686.
Press censorship no novelty in Massachusetts.

29 Septem.
Great seal of New England.

Soldiers sent to Boston.

20 June.
Pemaquid annexed to New England.

* Chalmers's Ann., i., 241, 245, 249, 245, 392, 420, 421, 463, 463; Rev. Col., i., 179; Col. Doc., vii., 362, 363; Anderson's Col. Ch., ii., 281, 288, 289, 341, 375, 380; Belknap, i., 129-187; Mass. Rec., iv. (ii.), 62, 73, 141, 211, 509; v., 4, 32, 323, 452; Hutch. Mass., i., 248, 257, 258, 355; Palfrey, ii., 539; iii., 519; Thomas, i., 297, 246, 247, 276, 278; Penn. Col. Rec., i., 165, 278; iii., 145; *ante*, 89, 145, 146, 358, 456, 445. The names of Andros's counselors are given in Palfrey, iii., 604.

[†] Chalmers, i., 463, 465; New England Entries (S. P. O.), iv., 223, 267, 282, 311; Hutch., i., 362; Arnold, i., 495, 496; Palfrey, iii., 516; Claudian, Stilic., iii., 114; Gibbon, iii., 111; Fox's James II., 57. An engraved copy of this great seal, of which original impressions are now very rare, is published in Valentine's Manual for 1862, 758, 759: see also Hist. Mag., vi., 105, 106; Index to New Jersey Doc., 13; Mass. H. S. Proceedings for 1862, 79-81. The lines of Claudian—

• • • • • "Nunquam libertas gratior extat,
Quam sub rege pio." • • • • •

are thus translated by Hawkins:

"Ne'er liberty displays a higher grace,
Than under one where piety we trace."

CHAP. IX.

1686.

19 Septem.
Dongan or-
dered to
surrender
it.

13 Septem.

tinued under the government of New England." Dongan, who felt the inconvenience of that far-off dependency, was about recommending this measure, so obviously proper. The king accordingly directed him to surrender to the governor general of New England the "Fort and Country of Pemaquid." Andros was at the same time instructed to demand the surrender of the charter of Rhode Island, and to receive a surrender of that of Connecticut, against which writs of *Quo Warranto* had been issued, and to take both these colonies under his government.*

10 June,
Dongan's
royal com-
mission.Power to
make laws.Other
powers.

According to the declared intention of James, just after his accession, the government of New York was now "assimilated" to that which had been agreed on for New England. A royal commission, very like that to Andros, was issued to Dongan, which, although he was an avowed Roman Catholic, appointed him to be the king's captain general and governor-in-chief over his "Province of New York, and the territories depending thereon, in North America." The Test Act, as we have seen, did not of its own force extend to the English Plantations; and, moreover, James had dispensed with it in England. Dongan was authorized by the king, like Andros, to suspend counselors and nominate others for approval, so that there should be always seven at least. With the advice of his council the governor could make laws as near as might be to those of England, which were to be approved or rejected by the king; and levy taxes, continue those already imposed, and erect courts of justice. He was also empowered to appoint judges, pardon offenders, "collate any person or persons in any churches" which might be vacant, levy and command the military force of the province, execute martial law, build forts, act as vice-admiral, grant lands, appoint fairs, and regulate ports, harbors, and custom-houses; and he was required "to take all possible care for the discountenance of vice, and encouragement of virtue and good living, that by such example the infidels may be invited and desire to partake of the Christian Religion."†

* Chalmers, I., 421; Clarke's James II., ii., 71; Secret Services Ch. II. and Jac. II., 130; Dalrymple, ii., 53, 65, 103; Col. Dec., iii., 391; Doc. Hist., ii., 17; Deeds, viii., 75; Maine H. S. Coll., v., 131, 265; Mass. H. S. Coll., xxvii., 169, 162, 163; xxxii., 295, 296; R. I. Col. Rec., iii., 218; Col. Rec. Conn., iii., 377, 380; Arnold, I., 495; Palfrey, iii., 516, 517; *ante*, 446.

† Col. Dec., iii., 257, 260, 377-382; Col. MSS., xxiv. (ii.), 6; Chalmers, I., 588; *ante*, 424, 447. The clause in Andros's commission relative to liberty of conscience and the encou-

The Instructions of James to Dongan resembled those to Andros, and to his other governors in America. Dongan was directed to administer oaths of allegiance and of office, but not the Test oath, to Anthony Broekholls, Frederick Phillipse, Stephanus van Cortlandt, Lucas Santen, John Spragg, Jervis Baxter, and John Younge, whom the king named as counselors of New York, and who were to enjoy "freedom of debate and vote in all things to be debated of in council." The governor was to nominate proper persons to be appointed counselors, and to take care that all civil officers were "men of estate and abilities, and not necessitous people or much in debt," and that they should all be "well affected" to the royal government. "And whereas," added the king, "we have been presented with a Bill or Charter passed in the late Assembly of New York, containing several franchises, privileges and immunities mentioned to be granted to the Inhabitants of our said Province, You are to declare our will and pleasure that the said Bill or Charter of Franchises be forthwith repealed and disallowed, as the same is hereby repealed, determined and made void:—But you are nevertheless, with our said Council, to continue the duties and impositions therein mentioned to be raised, until you shall, with the consent of the Council, settle such taxes and impositions as shall be sufficient for the support of our Government of New York. And our further will and pleasure is that all other laws, statutes and ordinances already made within our said Province of New York, shall continue and be in full force and vigor, so far forth as they do not in any wise contradict, impeach, or derogate from this Commission, or the orders and instructions herewith given you, till you shall, with the advice of our Council, pass other laws in our name for the good Government of our said Province, which you are to doe with all convenient speed."* The style of all laws was to be "By the Governor and Council," and not otherwise; and transcripts of them and of the Council Journal were to

CHAP. IX.

1686.

29 May.
Dongan's
Instruc-
tions.Counsel-
ors.The Char-
ter of Lib-
erties re-
pealed.Taxes and
laws con-
tinued.

agement of Episcopalians (*ante*, 450), was not inserted in Dongan's, because there was no necessity for it in New York, where conscience had always been free, and where Episcopacy was not opposed. Religious freedom, however, was enjoined in his Instructions: Col. Doc., iii., 375.

* Col. Doc., iii., 357-359, 369, 370; Council Journ., i., 45. It will be observed that, although the king declined to confirm the New York Charter in March, 1685, he did not repeal it until May, 1686: *ante*, 383, 384, 423, 449, 450.

CHARTER IX. be regularly sent to England. "You shall take especial care," was the king's further direction, "that God Almighty be devoutly and duly served throughout your Government: the Book of Common Prayer, as it is now established, read each Sunday and holiday; and the blessed sacrament administered according to the rites of the Church of England;" and "that no minister be preferred by you to any ecclesiastical benefice in that our Province, without a certificate from the most Reverend the Lord Archbishop of Canterbury, of his being conformable to the doctrine and discipline of the Church of England, and of a good life and conversation."* The ecclesiastical jurisdiction of the English primate was ordered to prevail throughout New York in every thing but collating to benefices, granting licenses for marriage, and the probate of wills, which powers were reserved to the governor. James further directed "that no schoolmaster be henceforth permitted to come from England and to keep school within our Province of New York, without the license of the said Archbishop of Canterbury; and that noe other person now there, or that shall come from other parts, bee admitted to keep school, without your license first had."† And then James the Second—in the very words he had addressed to Andros in 1674, and which the New York charter of 1683 had limited to *Christians*—directed Dongan to "permit all persons, of what religion soever, quietly to inhabit within your government, without giving them any disturbance or disquiet whatsoever, for or by reason of their differing opinions in matters of religion; Provided they give noe disturbance to the public peace, nor doe molest or disquiet others in the free exercise of their religion."‡ The orders of August,

1686.

Church of England service established.

Church of England's preferences.

School-masters from England to be licensed.

Liberty of conscience in New York.

* Col. Dec., iii., 36, 372; compare the Instructions to Berkeley and Culpepper, of Virginia, and Lynch and Howard, of Jamaica: Col. Dec., vii., 362, 363; Anderson's Col. Ch., ii., 289, 341, 342; Mass. H. S. Coll., xxxvii., 153; Hist. Mag., vi., 153. The "ministers" to be preferred to benefices here referred to were those of the "orthodox," or Episcopalian Church of England. Dongan was not instructed to interfere with those of the Dutch, or Lutheran, or other churches in New York. Why the Archbishop of Canterbury, rather than the Bishop of London, was to have ecclesiastical jurisdiction in the province, will be explained: *post*, 453.

† Col. Dec., iii., 372. This Instruction was the policy of the Church of England influencing the Plantation Committee, and not that of James the Second, who had never led to interfere with school-masters in New York, of all denominations. The restriction seems to have been adopted by the committee, at the request of Bishop Compton, of London, on 15 April, 1685, and to have been first inserted in the Instructions to Sir Philip Howard, as governor of Jamaica, on 27 April, 1685: Col. Dec., vii., 362, 363; Ellis's Correspondence, i., 16, 99, 105, 109; Hist. Mag., vii., 330.

‡ Col. Dec., iii., 218, 330, 372; *ante*, 264, 282.

1681, prohibiting "any innovation" on the trade of "the River of New York" by East Jerseymen or others, under "groundless pretences," were renewed; and all goods passing up the Hudson River were required to pay duties at New York.* Dongan was also instructed to encourage "the Indians, upon all occasions, that they may apply themselves to English trade and nation, rather than to any others of Europe. But you are alsoe to act soe prudently, in respect to your European neighbors, as to give them noe just cause for complaint against you." * * * "You are to give all due encouragement and invitation to merchants and others who shall bring trade into our said Province, or any way contribute to the advantage thereof; and in particular to the Royal African Company of England. And you are to take care that there be no trading from the Province of New York to any place in Africa, within the charter of the Royal African Company. And you are not to suffer any ships to be sent thither without their leave or authority."† Treaties with foreign powers were to be carefully observed; and New York was required to pass a law against pirates, according to a transmitted formula. "Inhuman severities," which bad masters might use against their Christian servants or slaves, were to be restrained by law, and the willful killing of Indians and negroes made punishable by death. The conversion of negroes and Indians to Christianity was to be encouraged. The governor's salary was fixed at six hundred pounds sterling a year, to be paid out of the provincial revenue. "And forasmuch as great inconvenience may arise by the liberty of printing within our Province of New York, you are to provide by all necessary orders, that no person keep any press for printing, nor that any book, pamphlet, or other matters whatsoever, bee printed, without your especial leave and license first obtained."‡ Such were the main features of

CHAP. IX.

1686.

No innovation on the Hudson River.

Royal African Company.

Conversion of negroes and Indians in New York.

No unlicensed printing.

* Col. Doc., iii., 248, 249, 373; *ante*, 411.

† Col. Doc., iii., 245, 365, 374; Col. MSS., xxxv., 77. Of this Royal African Company—one of the purposes of which was to bring negro slaves to America—James, while Duke of York, had been governor; *ante*, 6. In September, 1681, Governor Lynch, of Jamaica, was instructed to encourage this Royal English Company's trade in "merchantable negroes;" Anderson's Col. Ch., ii., 281.

‡ Col. Doc., iii., 374, 375. This restriction of the press in New York was according to the precedents of the Plantation Committee, in their instructions to the several colonial governors. As proprietor, James had given no such orders to Nicolls, or Lovelace, or Andros, or Dongan: see *ante*, 89, 145, 146, 368, 434, 436, 445, 451.

CHAP. IX. the Instructions of James the Second to Dongan. Thus
 1686. "a real tyranny," like that in New England, was established in New York, which, deprived of its popular Assembly, was "reduced once more to the condition of a conquered Province."*

3 June. The Plantation Committee likewise ordered Dongan to
 Orders of the Planta- send them, every quarter, a particular account of all im-
 tion Com- portant matters concerning the province, with his opinion
 mittee. how its government might be improved. Secretary Spragg
 10 June. was also directed to transmit official transcripts promptly
 and faithfully.†

By James the Second's Instructions to Dongan, the Episcopal Church of England was, for the first time, directed to be especially fostered, and the "ecclesiastical jurisdiction" of its primate to be established, "as far as conveniently may be," in New York. Some episcopal power in his colonies appears to have been delegated by Charles the Second to the Bishop of London. But, as late as 1675, the Plantation Committee were doubtful of its extent; and the prelate himself considered his duties as merely ministerial, "the Plantations being no part of his diocese, nor had he any authority to act there." After the accession of James the Second in April, 1685, Bishop Compton, of London, was, at his own special request, authorized by the king to exercise "all ecclesiastical jurisdiction" in the Plantations, including the licensing of school-masters going thither from England. The bishop's power was accordingly declared in colonial Instructions. But Compton, having offended James by opposing his abrogation of the Test Act, was removed from the Privy Council early in 1686. For this reason the king, in his Instructions to Dongan, ordered that the Archbishop of Canterbury, and not the Bishop of London, should have ecclesiastical jurisdiction in New York.‡

James the
 Second es-
 tablishes
 the English
 Episcopal
 Church in
 New York.

Bishop
 Compton.

January.

Archbishop
 Saucroft.

* Col. Doc., iii., 369-375; Chalmers's Ann., i., 588; Rev. Col., i., 131.

† Col. Doc., iii., 375, 376; Council Min., v., 241.

‡ Col. Doc., iii., 253, 372; vii., 362, 363; Anderson's Col. Ch., i., 411, 412; ii., 284-291; Hist. Mag., v., 153; Miller's N. Y., 108; Hazard, i., 344; Burnet, i., 665; Reresby, 226; Evelyn, ii., 258; Mackintosh, 55; Macaulay, ii., 52, 35; Ellis Corr., i., 6; ante, vol. i., 257, 258. The authority under which Bishops Compton, Robinson, and Gibson, of London, successively exercised episcopal power in the Plantations, was the instructions of the English sovereign. But, as that sovereign could delegate his supreme ecclesiastical jurisdiction over the British colonies only by his patent under the great seal, the attorney and solicitor general reported their opinion, in 1725, "that the authority by which the Bishops of London had acted in the Plantations was insufficient." A patent was accordingly granted to Bishop Gib-

Curiously enough, the "Defender of the Faith" of English Episcopalians was a notorious Roman Catholic. This was very queer to honest Protestants. James openly rejected the English communion, and partook of the Roman mass in his palace. Encouraged, perhaps, by the former subserviency of Oxford, the king resolved to maintain his ecclesiastical supremacy. Accordingly, in defiance of precedents, he commissioned Chancellor Jeffreys, with Archbishop Sancroft and others, to punish summarily all who should oppose his will in religious matters. This arbitrary commission suspended Compton from his episcopal function. James then appointed the Bishops of Durham, Rochester, and Peterborough to manage the diocese of London during the suspension of Compton. But Sancroft, the Archbishop of Canterbury, although a weak man, was honest enough not to approve these illegal acts of his sovereign. The king therefore ordered in council "that the ecclesiastical jurisdiction in the Plantations" should thenceforth be exercised by the commissioners whom he had appointed in place of the Bishop of London. Thus the colonial episcopacy of the English primate, Sancroft, under James the Second, was even more short-lived than that of his subordinate, Bishop Compton.*

Yet English Episcopalianism did not gain much foothold in New York. The Reverend Alexander Innis was commissioned by James to succeed Josias Clarke as the "orthodox" chaplain of his garrison at Fort James. But while the King of England was a Roman Catholic, "the Church," of which he was the lawful head, could scarcely thrive among honest colonial Protestants outside of the citadel.†

Dongan's royal commission and Instructions reached him on the fourteenth of September, 1686, when "his Excellency did take an oath duly to execute the Office and trust of His Majesty's Captain General and Governor-in-

CHAP. IX.

1686.

14 July.

3 August.

6 Septem.
James's ecclesiastical commission suspends Bishop Compton.

27 October.
English ecclesiastical jurisdiction in the colonies.

20 April.
7 October.
Chaplain Innis at Fort James.

14 Septem.
Dongan receives his royal commission.

son by George the First, in February, 1727, and another by George the Second in April, 1728: Col. Dec., v., 849-854; vii., 363.

* Clarke's *James II.*, ii., 83-93; Dalrymple, *ii.*, 77-79; Burnet, *i.*, 674-678; Evelyn, *ii.*, 267; Kennett, *iii.*, 454-460; Rapin, *ii.*, 755, 756; Lingard, *xiv.*, 92-95; Mackintosh, 68-70; Ellis's *Corr.*, *i.*, 144-148, 160, 187; Hargraves's *State Trials*, *iv.*, 247-254; Macaulay, *ii.*, 92-97; Col. Dec., *iii.*, 388; *ante*, 414.

† Deeds, *viii.*, 13, 51, 59; Col. Mass., *xxxiii.*, 304; Col. Dec., *iii.*, 415; Doc. Hist., *iii.*, 245, 265; *ante*, 497.

CHAP. IX. Chief in and over the Province of New York and the territories depending thereon." Brockholls, Phillipse, Van Cortlandt, Spragg, Baxter, and Younge, whom the king had named as his counselors, were also sworn; but Santen's oath was deferred, because he was a hypochondriac, subject to fits, and "wholly unfit for business."*

1686.
Dongan's
counselors
sworn.

Population
of New
York.

4 Septem.
Assembly
prorogued.

9 Decem.
Dongan
and his
council
take order.

13 Decem.
Council-
day.

1687.
26 Jan'y.
The New
York As-
sembly dis-
solved.

13 Decem.

At this time the population of New York was about eighteen thousand; although it was "not possible to give an exact account." The provincial Assembly had adjourned to meet on the twenty-fifth of September, 1686. Dongan, however, had meanwhile thought fit, "for weighty and important reasons," to prorogue it until the twenty-fifth of March, 1687. This he did, just ten days before he received his new commission and Instructions from James the Second, which abolished an Assembly in New York, and vested all legislative power in the governor and council of the province. After pondering this grave matter, Dongan and his council at length "ordered that all the branches of the revenue, and all other laws that have been made since the year 1683, except such as His Majesty has repealed, remaine and continue as they now are, till further consideration." They also directed that "every Monday be council-day for the consideration of the King's affairs, and every Thursday for the hearing of public business." The next month Dongan issued his proclamation that the General Assembly of the Province of New York was "dissolved." By this formality all the legislative authority which the king could vest in them, as his provincial subordinates, and which Judge Palmer and Attorney General Graham pronounced to be "sufficient," remained in the hands of Dongan and his council. It was an awful trust; yet it was not the less a legal delegation of the sovereign's power. It was the forerunner of revolution. In the fullness of God's time, English subjects in America were to maintain the truth that "only a State can tax itself," which Hollanders had taught to Europe in 1572, when they perilled every thing to stop the exaction of an arbitrary tithe.†

Dongan and his council did their first legislative duty.

* Council Min., v., 172, 173; Col. Doc., iii., 369, 404, 416; *ante*, 423.

† Council Min., v., 164, 172, 173, 183, 189; Col. MSS., xxxiii., 291; xxxiv., 51, 52; xxxv., 16; Col. Doc., iii., 395; Council Journ., I., Introd., xv., xvii.; Min. of N. Y. Common Council, i., 303; *ante*, vol. I., 412; ii., 428, 449.

under their new instructions from King James the Second, by re-enacting the former revenue law passed by the New York Assembly in October, 1683, in consideration of his expected "confirming" of their charter; and another against privateers, according to the model which had been furnished from England. During the following summer and autumn, other laws of more or less importance were enacted. Among them was one to prevent Boston merchants, who refused to pay New York duties, shipping oil from the east end of Long Island; they must now export from the metropolis, and pay honestly, as others did, and as the law required. A patent, with the usual privileges, was also granted to the town of Kingston, formerly known as Esopus, in Ulster County.*

CHAP. IX.

1687.

24 Febr'y.
First laws
passed by
Dongan
and his
council.

19 May.
Kingston
patent.

The Quakers in New York now raised an interesting question. By the militia law, persons who refused to train were liable to have their goods seized if they did not pay their fines. This the Quakers did not like, because they scrupled to bear arms. Accordingly, they presented an address to Dongan, claiming that, by the Charter of Liberties, all peaceable persons professing faith in Christ should enjoy freedom of conscience in New York, and that the seizure of the property of Quakers for not training was "an infringement upon the liberty granted in the forecited act." The absurdity of this position was evident. The council accordingly, on examining the militia law, "unanimously gave it for their opinion that no man can be exempted from that obligation, and that such as make failure therein, let their pretents be what they will, must submit to the undergoing such penalties as by the said Act is provided."†

24 Febr'y.
Quakers in
New York
not ex-
empted
from mili-
tary serv-
ice.

Anxious to have the northern boundary between New York and New Jersey settled, Dongan had agreed with Lawrie in April, 1684, to appoint surveyors to run the line from the Hudson River to the forks of the Delaware, now known as Port Jervis. George Keith was accordingly named surveyor for East Jersey, Andrew Robinson for West Jersey, and Philip Wells, the New York surveyor general, who had been Andros's steward, and one of the surveyors of the Connecticut boundary in 1684, on the part

Northern
boundary
between
New York
and New
Jersey.

* Col. MSS., xxxv., 32-115; Doc. Hist., i., 429; Patents, vi., 300-303; Council Journ., i., Introd., xvii.-xxi.; *ante*, 157, 344, 415, 420.

† Col. MSS., xxxv., 35, 56, 169; Doc. Hist., iii., 607, 608, 609; *ante*, 383.

CHAP. IX. of New York. The New Jersey boundary-line, however, was not run for several years.*

1687. Perth Amboy having been made the capital of East Jersey, its nearness to the sea attracted commerce, which Dongan thought illicit. So he reported to the English Plantation Committee: "As for East Jersey, it being situate on the other side of Hudson's River, and between us and where the river disembogues itself into the sea; paying noe Custom and having likewise, the advantage of having better land and most of the Settlers there out of this Government, Wee are like to be deserted by a great many of our Merchants whoe intend to settle there if not annexed to this Government. Last year two or three ships came in there with goods and I am sure that that Country cannot, noe not with the help of West Jersey consume one thousand Lb. in goods in two years, soe that the rest of these

Febr'y.
Dongan
complains
of East
Jersey.

Smuggling.

Beavers
and peltry
taken to
East Jer-
sey.

Interlopers
land ivory
in New
Jersey.

Dongan
wishes to
build a fort
on Sandy
Hook.

Goods must have been run into this Government without paying his Majesty's Customs, and indeed there's no possibility of preventing it. And as for Beaver and Peltry, it is impossible to hinder its being carried thither;—the Indians value not the length of their journey soe as they can come to a good Market which those people can better afford them than wee, they paying noe Custom nor Excise inwards or outwards. An other inconveniency by the Governments remaining as it does is that privateers and others can come within Sandy Hook and take what Provisions and Goods they please from that Side. Alsoe very often shippes bound to this place break bulk there and run their Goods into that Colony with intent afterwards to import the same privately and at more leisure into this Province notwithstanding their Oath, they salving themselves with this evasion that that place is not in this Government—To-day an Interloper landed five Tun and one half of teeth there. To prevent all which inconveniences and for the securing of this place from enemys, I desire to have an order to make up a small Fort with twelve guns upon Sandy Hook, the Channell there being soe near the shore that noe vessel can goe in nor out but she must come soe near the Point that from on board one might toss a biscuit Cake on

* Council Min., v., 65, 153, 170, 171; N. Y. Assembly Journ., ii., 528-535; Col. Doc., 392, 396, 406; iv., 630; Col. MSS., xxxii., 89; xxxiii., 4; N. J. H. S. Proc., viii., 192, 193, 194 ante, 389, 392, 410, 412.

Shore. If the Proprietors would rightly consider it, they would find it their own Interest that that place should be annexed to this Government for they are at a greater charge for maintaining the present Government than the whole Profits of the Province (which is by quit Rents) will amount unto; for they are at the whole Charge, the Country allowing nothing towards its support soe that had they not the charge of the Government they might put that Money into their own pockets. And indeed to make Amboy a port, will be no less inconvenient for the reasons afore mentioned, neighboring Colonys being not come to that perfection but that one Port may sufficiently serve us all. We in this Government look upon that Bay that runs into the Sea at Sandy Hook to be Hudson's River; therefore there being a clause in my Instructions directing mee that I cause all vessels that come into Hudson's River to enter at New York, I desire to know whether his Majesty intends thereby those Vessels that come within Sandy-Hook, the people of East Jersey pretending a right to the River soe farr as their Province extends which is eighteen miles up the River to the Northward of this Place. West Jersey remaining as it does will be noe less inconvenient to this Government for the same reasons as East Jersey, they both making but one neck of Land and that soe near situate to us, that its more for their convenience to have commerce here than any where else, and under those circumstances that if there were a Warr, either with Christians or Indians they would not be able to defend themselves without the assistance of this Government. To be short, there is an absolute necessity those Provinces and that of Connecticut be annexed.*

CHAP. IX.

1687.

New Jersey
should be
reannexed
to New
York.

The mouth
of the Hud-
son River
at Sandy
Hook.

Inconven-
ience of a
port in
New Jer-
sey.

Collector Santen had meanwhile been admonished to be- 1686.
have better, but still continued to talk "seandalously and
incivilly." Charges were then filed against him, and proofs
made out. On his side, Santen prepared counter charges
against Dongan. At length the governor and council sus-
pended the collector, and ordered his arrest by the sheriff.
Thinking him "fitter for a retired life than to be the
King's Collector," Dongan ordered him to be sent a prison-

Septem.
Collector
Santen

Novem.

1687.

suspended.
13 Jan'y.
Arrested
and sent to
England.

* Col. Doe, Hist., 303, 304, 408, 416, 493; Doe, Hist., i, 95-118; Leaming and Spicer, 285-295; Whitehead's E. J., 199-118; Chalmers, i, 621, 622; ante, 333, 369, 433, 452, 455.

CHAP. IX.

1687.

27 Jan'y.
21 Feb'y.
Van Cort-
landt and
Graham
joint col-
lectors.

26 Feb'y.
Palmer and
Bayard
sworn
counselors.

2 March.

Dongan's
report on
New York
sent by
Spragg and
Baxter.

Militia.

Fort
James.

Prolific
woman.

er to England, in the ship which conveyed Secretary Spragg and Major Baxter with important dispatches to the home government. During Santen's suspension, Counselor Van Cortlandt and Attorney General Graham were appointed to manage the king's revenue. As Younge lived one hundred and fifty miles away from Fort James, at the east end of Long Island, was now very old, and had no estate of his own, and as the absence of Spragg and Baxter in England would leave the council without a sufficient quorum, the governor swore Judge John Palmer and Mayor Nicholas Bayard to serve as counselors until the royal pleasure should be made known; and he also nominated six others "of the fittest" in the province to supply vacancies. Dongan also asked the king to allow him to name a collector who lived in New York, as those who came from England expected "to run suddenly into a great estate, which this small place cannot afford them."*

By Spragg and Baxter the governor sent to the Plantation Committee his replies to their official "Heads of Inquiry," with a map of New York and the adjoining governments, showing "the extent and inequality of them, and of Canada alsoe;" which was accomplished "with much labor and charge." Dongan's report, although encumbered by details very interesting to himself, but of little present importance, is one of the most careful, as well as most honest pictures of his provincial government which an American subordinate ever sent home to his English sovereign.

The several courts and the laws of New York in force were described. There were about four thousand foot and three hundred horse, besides one company of dragoons. Fort James had been repaired, covering two acres, and "though this fortification be inconsiderable, I could wish," said Dongan, "that the king had several of them in these parts—In this Country there is a Woman yet alive from whose Loyns there are upwards of three hundred and sixty persons now living. The men that are here have generally lusty strong bodies. At Albany there is a Fort made of

* Council Min., v., 173, 174, 180, 181, 186-189, 192-194; Col. MSS., xxxiii., 283; xxxv., 10-15, 18-24, 32, 33, 37, 74; Col. Doc., iii., 401-414, 416, 417, 420-424, 493-500; iv., 41; Dec. Hist., i., 104-118; *ante*, 42*, 43*. Dongan's nominees for counselors were Judge Matthias Nicolls, Attorney General Graham, William Smith, Gabriel Minvielle, Francis Roubouts, and Nicholas de Meyer: Col. Doc., iii., 417.

Pine Trees fifteen foot high and foot over with Batterys and conveniences made for men to walk about, where are nine guns, small arms for forty men four Barils of Powder with great and small shott in proportion. The Timber and Boards being rotten were renewed this year. In my opinion it were better that Fort were built up of Stone and Lime which will not be double the charge of this years repair which yet will not last above six or seven years before it will require the like again whereas on the contrary were it built of Lime and Stone it may be far more easily maintained. And truly its very necessary to have a Fort there, it being a frontier place both of the Indians and French. At Pemaquid there is another Fort built after the same manner, as I am informed; A particular description whereof I am not capable of giving having never been there, however its a great charge to this Government without being anything of advantage to it, having officers there with twenty men always in pay. And which makes it yet more chargeable I am forced to send from time to time provisions and Stores thither altho' its near four hundred miles from this place. If his Majesty were pleased that I might draw off the men and arms from that place with the Guns being of light carriage and that I might have leave to put them further into the Country, I would place them where I will give your Lordships an account hereafter. And then if his Majesty were further pleased to annex that place to Boston, being very convenient for them in regard of its vicinity affording great Store of Fishery and Islands fit for that purpose lying all along to the eastward of them —And in lieu of that to add to this Government Connecticut and Rhode Island, Connecticut being so conveniently situate in its adjoining to us and soe inconvenient for the people of Boston by reason of its being upwards of two hundred miles distance from thence. Besides, Connecticut, as it now is, takes away from us almost all the land of Value that lyes adjoyning to Hudson's River, and the best part of the River itself. Besides, as wee find by experience if that place bee not annexed to that Government it will bee impossible to make any thing considerable of his Majesty's Customs and Revenue in Long Island; they carry away without entering all our Oyles which is the greatest part of

CHAP. IX.

1687.

Fort Albany.

Pemaquid.

Dongan advises the annexation of Pemaquid to Massachusetts, and of Connecticut to New York.

CHAP. IX. what wee have to make returns from this place: And from Albany and that way up the river our Beaver and Peltry.

1687. This Government too has an undoubted right to it by Charter which his late Majesty of blessed Memory granted to our present King. And indeed if the form of the Government bee altered, their people will rather choose to come under this than that Government of Boston, as your Lordships will perceive by their present Governor's letters directed to mee." * * * "I believe for these seven years last past, there has not come over into this Province twenty English, Scotch or Irish families. But on the contrary, on Long Island the people increase soe fast that they complain for want of land, and many remove from thence into the neighbouring province. But of French, there have, since my coming here, several families come both from St. Christophers and England, and a great many more are expected; as alsoe from Holland are come several Dutch families, which is another great argument of the necessity of adding to this government the neighbouring English Colonies, that a more equal ballance may bee kept here between his Majesty's naturall born subjects and Foreigners, which latter are the most prevailing part of this government."

English, Scotch, and Irish immigrants.

French.

Dutch.

Petition of French Protestants.

Religious persuasions.

The Dutch Church in New York.

The governor at the same time forwarded a petition of "the new-come naturalized French" Protestants, thanking the king for the privileges he had granted them, and asking that they and those who followed them might be allowed to trade with all the British American colonies. In reply to the inquiry about religious persuasions in New York, Dongan reported: "Every town ought to have a minister. New York has, first, a Chaplain belonging to the Fort, of the Church of England; secondly, a Dutch Calvinist; thirdly, a French Calvinist; fourthly, a Dutch Lutheran. Here bee not many of the Church of England; few Roman Catholicks; abundance of Quakers preachers men and Women especially; Singing Quakers; Ranting Quakers; Sabbatarians; Anti Sabbatarians; some Anabaptists; some Independents; some Jews: in short, of all sorts of opinions there are some, and the most part of none at all. The Great Church which serves both the English and the Dutch, is within the Fort, which is found to bee very inconvenient. Therefore, I desire that there may bee

an order for their building another; ground being already layd out for that purpose, and they not wanting money in store wherewithall to build it. The most prevailing opinion is that of the Dutch Calvinists. It is the endeavor of all persons here to bring up their children and servants in that opinion which themselves profess; but this I observe, that they take no care of the conversion of their slaves. Every town and county are obliged to maintain their own poor, which makes them bee soe careful that noe vagabonds, beggars, nor idle persons are suffered to live here. But as for the King's natural-born subjects that live on Long Island and other parts of Government, I find it a hard task to make them pay their ministers.*

CHAP. IX.

1687.

No beggars
nor idlers.

The Corporation of the metropolis, wishing a confirmation of their charter from Dongan under his royal commission, authorized Mayor Bayard and Recorder Graham "to procure the same." They also addressed the king, defending their charter, which no one was displeased with except Collector Santen, "the author of those clamors;" and urged "the absolute necessity there is that those adjacent parts of Connecticut, East and West Jersey, Pennsylvania, or at least soe far of Pennsylvania as extends from the Falls of Susquehannah should bee united to this your Majesty's Province; the effect whereof will not only secure your Majesty's Government, but will likewise make it formidable against all that may become your Majesty's enemies, ease your Majesty of the charge, and alsoe bring in considerable profit unto your Majesty's coffers."†

12 Jan'y.

Address of
the Corporation of
New York
to the king.

Among the domestic incidents was the case of Francis Stepney, a dancing-master, who, having been forced to leave Boston, and having no visible estate, was ordered not to teach dancing in New York, and to give security that he would not become a public charge, or else to quit the province. But, upon Stepney's petition, he was allowed an appeal to the king in person.‡

3 Jan'y.
Case of
Stepney, a
dancing-
master.

6 Jan'y.

* Col. Doc., iii., 389-417, 419, 420; ix., 309, 312; Doc. Hist., i., 95-118; Val. Man., 1859, 456-486; Col. Rec. Conn., iii., 292-294; *ante*, 316, 331, 435, 445-447. The Rev. Alexander Innis succeeded Josias Clarke as chaplain to the garrison in October, 1686; Domine Henricus Selyns was the Dutch minister in New York, Baillie was pastor of the French Calvinists, and Arensius of the German Lutherans: Col. Doc., iii., 415, 651, 749; Doc. Hist., ii., 217; iii., 289, 767; Secret. Ser., Ch. II. and Jac. II., 130; *ante*, 174, 273, 329, 380, 407, 457.

† Min. of C. C., i., 308; Val. Man., 1844-5, 318; Col. Doc., iii., 412, 424, 425; *ante*, 426, 438.

‡ Council Min., v., 191; Col. MSS., xxxv., 3, 7, 8.

CHAP. IX.

1687.

4 April.
New York
postmas-
ter.

As the colonial post-office, established by Dongan in 1685, had been modified by the appointment of Randolph to be deputy postmaster of New England under Lord Treasurer Rochester, the governor appointed William Bogardus to be postmaster for the province of New York.*

11 April.
William
Nicolls
attorney
general of
New York.

In place of Graham, who was now joint collector with Van Cortlandt, Dongan appointed William Nicolls, a son of Judge Matthias Nicolls, and a regularly educated lawyer, to be attorney general of the province.†

June.
A New
York ship
pillaged by
an Irish
pirate.

Notwithstanding all the laws passed against pirates by order of James, the American waters were infested by freebooters. The pink Good Hope, or Hopewell, Captain George Heathcote, on her way from New York to England, was stopped between Long Island and Nantucket by a pirate from Youghal, in Ireland, who pillaged money from the master and men, and a sail, provisions, and a boat from the pink. By their speech, the pirates seemed to be "North countrymen."‡

The Iro-
quois the
"bulwark"
of New
York
against
Canada.

In his report, Dongan described the Iroquois as the "bulwark" of New York against Canada. The metaphor was admirable. The Five Nations were the "most warlike" savages in North America; and Dongan, following the example of Andros, suffered "no Christians to converse with them any where, but at Albany," and then only with his license. His policy was "to keep them peaceable and annexed to this Government," so that upon any occasion he could have three or four thousand of their warriors at a call to aid New York. Dongan accordingly recommended that the boundary with Pennsylvania be run westward from latitude 41° 40' on the Delaware River; that forts be built on that line, and also at Niagara; and that, to counteract the French Jesuits, the English priests, whom he had promised the savages, should be sent over as soon as possible. Above all, it was "very necessary for us to encourage our young men to go a beaver-hunting as the French do." But, while the king's governor of "the centre of all his Domin-

Dongan's
advice to
the king.

* Council Min., v., 106; Col. MSS., xxxv., 52; Col. Dec., iii., 549, 250, 256; *ante*, 413, 424.

† Licenses, Warr., etc., v.; Col. MSS., xxxiv. (ii.), 59; Col. Dec., iii., 412, 424, 429, 709; Wood, 144; Thompson, ii., 391; *ante*, 312, 462.

‡ Ellis Corr., i., 339; Col. Dec., iii., 288, 274, 357, 490, 496; C. Welley, 61, 97; *ante*, 286, 287, 459.

ions in America" was giving this good advice, James the Second was meditating other arrangements.*

Colonel Sir Edmund Andros, governor general of the king's "Territory and Dominion of New England," had meanwhile reached Boston in the frigate *Kingfisher*, accompanied by Francis Nicholson, his lieutenant governor, and the Irish soldiers who were to maintain his authority. The next day Andros landed; and, after being received with "suitable demonstrations," quietly assumed the power which Dudley and his associates had temporarily administered. It is remarkable that this event happened about the very day on which "the Pilgrims" from Leyden and England landed on Plymouth beach, sixty-six years before. But the anniversary, now so ostentatiously celebrated, was then passed by in Massachusetts without observance. A council was held a few days afterward at Boston, which was attended by members from Plymouth and Rhode Island. The Records of Massachusetts, obtained with difficulty from Rawson, were intrusted to Secretary Randolph, in whose place Dudley was appointed licenser of the press, "according to previous colonial custom." Among the first of his acts, Andros was obliged to reprove Hinckley, the late governor of Plymouth, for his intolerance in distraining the property of Quakers to pay compulsory rates for the support of other sectarian ministers. The governor soon afterward organized the Royal New England judiciary, by appointing Dudley chief justice, and William Stoughton and Peter Bulkley associate judges of the Superior Court; while George Farewell, a lawyer who had just come from New York with West, was made attorney general of the dominion.†

The assumption by Andros of the government of New

CHAP. IX.

1686.

19 Decem.
Andros at
Boston.20 Decem.
Andros
assumes
the govern-
ment of
New Eng-
land.

30 Decem.

1687.

25 Jan'y.
Dudley li-
censer of
the press.
5 March.25 April.
Judge of
New En-
gland.

* Col. Doc., iii., 391-396, 402, 413, 416, 418, 423; Doc. Hist., i., 96-101; Val. Man., 1559, 458-464; *ante*, 306, 367, 509, 335, 429, 440, 442, 447, 452.

† Chalmers, i., 421, 422; Col. Rec. Conn., iii., 376; R. I. Rec., iii., 218-224, 257; Douglas, i., 413, 478; Mass. H. S. Coll., xxvii., 158, 156, 162, 166, 171; xxxv., 149, 190; Hutch. Mass., i., 363, 354, 355, 357, 359; Coll., 555, 557; Arnold, i., 499-502; Barry, i., 486-488; Palfrey, iii., 436, 511, 515, 517-522, 526; Force's Tracts, iv., No. 2, p. 16; Palmer's Impartial Account, 22; Adlard's Sutton Dudleys, 77; Val. Man., 1862, 741; Col. Doc., iii., 657, 663; Col. MSS., xxxiii., 308, 342; *ante*, i., 133; ii., 445, 465, 461. The Records of the Royal Government of New England, which Hutchinson, i., 254, states were "sacred or destroyed," are preserved, in the hand-writing of Secretary Randolph, or his clerk, in the British State Paper Office, and the Library of the Worcester Antiquarian Society: Chalmers, i., 463; Palfrey, iii., 457, 493, 518; Mass. H. S. Coll., xxix., 187. The private papers of Andros were probably "burnt, or otherwise made away with," in 1689: Hutch. Coll., 575; *post*, 553.

CHAP. IX. England concerned New York both directly and incidentally. He had been her governor, and many of her people

1687. esteemed him as their friend or patron. Among these was John West, the clerk of the New York Common Council, who resigned that office and went to Boston, where, through the influence of Andros, he hired from Randolph his place of secretary of New England. As soon as Dongan received the king's orders of 19 September, 1686, he surrendered Pemaquid to Andros, who sent thither Ensign Joshua Pipon, with some of the newly-come soldiers, to receive possession and garrison Fort Charles. The transfer from New York of its distant county of "Cornwall" to the government of New England was cheerfully made by Dongan, who had recommended it as expedient. But James the Second did not see fit to annex Connecticut to his own old province, as the desired equivalent.*

3 May.
West goes
to Boston
and be-
comes sec-
retary.
24 Feb'y.
March.
Dongan
surrenders
Pemaquid,
or "Corn-
wall," to
Andros.

1686. As soon as he could, Andros notified Governor Treat, of Connecticut, that the king had authorized him to receive the surrender of the charter of that colony, if tendered, and to take charge of its government, as a part of New England. A few days afterward Randolph served another writ of Quo Warranto upon Treat, suggesting that the people of Connecticut had "no way to make themselves happy" but by an early application to Andros. In this crisis

22 Decem.

28 Decem.

1687. a General Court was convened at Hartford, which left the business of the charter in the hands of Treat and his council. An evasive answer was returned by them to Andros. But a very artful letter was sent to Lord Sunderland, stating that they were unable to make a "suitable return" to the Quo Warranto, and adding: "We are his Majesty's loyal subjects, and we are heartily desirous that we may continue in the same station that we are in, if it may consist with his princely wisdom to continue us so. But if his Majesty's royal purposes be otherwise to dispose of us, we shall, as in duty bound, submit to his royal commands; and if it be to conjoin us with the other Colonies and Provinces under Sir Edmund Andros, his Majesty's present Govern-

26 Jan'y.
Artful let-
ter of Con-
necticut to
Lord Sun-
derland.

* Maine H. S. Coll., v., 110, 130, 131, 264, 265, 266; Williamson, L., 552-556; R. I. Rec., iii., 223, 224; N. Y. Deeds, viii., 75; Col. Dec., iii., 391, 417, 512, 515, 637; ix., 916; Col. MSS., xxxv., 36; Hutch. Mass., i., 158, 359; Coll., 556, 557; Mass. H. S. Coll., xxvii., 178, 189, xxxv., 156, 170; Palfrey, iii., 523, 561; *ibid.*, 310, 315, 352, 453. (On the 25th of July, 1687, Sheriff John Knight (1687, 428) was appointed clerk of the New York Common Council in place of West, resigned: Min. of C. C., i., 213.)

or, it will be more pleasing than to be joined with any other province.”* CHAP. IX.

1687.

A curious intercolonial intrigue now followed. Andros, who had just come from London, and was fully acquainted with the king's policy about New England, did all he could to induce Treat and the other chief men of Connecticut to submit with a good grace to his government. But Dongan was not equally well aware of the intentions of James in regard to that colony; at all events, he was not informed by Andros, who regarded his royal fellow-servant and successor in the government of New York with personal jealousy, and always acted toward him with extreme official reserve. Both governors coveted Connecticut. Andros, who, as the Duke of York's deputy, had thought it a part of New York, was now anxious that it should be a part of New England; while Dongan sturdily maintained that what would have been advantageous to James as duke, would be more advantageous to James as king. Accordingly, Dongan, with less light than Andros, sent Palmer and Graham as commissioners to induce the people of Connecticut to submit to the government of New York, and to insure them of the enjoyment of their estates, offices, and other advantages. Dongan also wrote earnestly to Treat in the same strain. But the New York effort did not succeed. Palmer and Graham, although commissioned by Dongan to represent his views, appear to have sympathized with the present designs of their earlier patron, Andros. They wrote to him from New Haven that they found the leading men in Connecticut “all united in one mind that it was their only interest to be joined to York, and they did expect that his Majesty would accordingly dispose of them that way; but they were so foolishly fond of their charter that they unanimously agreed to be passive and not active in the case; that is, they would never surrender, but if it were his Majesty's pleasure to take their charter from them, they would submit thereto.” And then the New York agents told the governor of New England that Treat and most of his council were on his side, but that the king would be obliged to

Andros
jealous of
Dongan.

18 April.
Dongan
sends
Palmer
and Gra-
ham to
Connecti-
cut. *
21 April.

5 May.
The New
York
agents
write to
Andros.

* Col. Rec. Conn., III., 222-226, 375-379; Mass. H. S. Coll., xviii., 182, 237, 238; xxvii., 163, 167, 168; xxxv., 147; Hatch. Mass., I., 323; Chalmers's Ann., I., 279, 298, 306, 307; Palfrey, III., 557, 558; *ante*, 462.

- CHAP. IX. proceed to judgment against the Connecticut charter; and that as Whiting, the agent of the colony at London, had just written "that it was the discourse at Whitehall that all to the Westward of Connecticut" [probably meaning the Connecticut River] "will be joined to New York," and as "the rest is not worth desiring," it would be Andros's "interest to make Court at home for accomplishing the matter." This "matter" was the annexation of Connecticut to New England rather than to New York, which the trusted agents of Dongan thus furtively advised Andros to "accomplish." The Connecticut Court left its "emergent occasions" in the hands of Treat and six others. Treat accordingly replied to Dongan "that the matter is in his Majesty's hands;" but that, if a new disposition was to be made, "we do earnestly request that our whole Colony or Province may together be annexed to such government as his Majesty shall see fit; for a dividing of it will be very prejudicial." On their return to New York, Palmer and Graham reported to the council "that the people of Connecticut are obstinate not to surrender to the king." Dongan, however, informed Lord Sunderland that Palmer and Graham had told him that they had prevailed on the Connecticut Assembly to write him a letter, in which "they signified their submission," and asked him to get them "firmly annexed" to the government of New York; and that this letter was "ready to be signed, having the unanimous approbation of the whole. But before that could be done, some of their clergy came among them, and quite overthrew all they had done; telling them that to whatever government they should be joined it would be a grievous affliction. * * * With these, and such like contrary expressions, the Assembly was wrought upon to let sending that letter alone."*
- 12 May. Andros, on his side, again urged Connecticut to surrender its charter as a "duty to his Majesty." John Saffin, the last speaker of the late General Court of Massachusetts, also wrote to Secretary Allyn that all British America be-
- 12 May. Duplicity of Palmer and Graham.
- 12 May. Treat's reply to Dongan.
- 23 May. Palmer and Graham's report to Dongan.
- 27 May. Dongan's report to Lord Sunderland.
- 13 June.
- 11 June.

* Col. Doc., iii., 238, 239, 296, 415, 416; Col. MSS., xxxv., 58, 61, 64, 73; Hutch. Coll., 556; R. I. Rec., iii., 223, 224; Col. Rec. Conn., iii., 227-236, 368-370, 379-381, 384; Palfrey, iii., 539, 540, 541; *ante*, 289, 285, 464. The Connecticut Records do not allude to this mission of Palmer and Graham from New York. Mr. Palfrey (iii., 539) wondrously muddles history by intimating that Dongan's agents were sent by Andros from Boston!

tween Carolina and Canada would soon "be brought under a more immediate dependency and subjection to his Majesty" by the abrogation of all charters; that, whatever might happen in England, "matters will never be againe *in statu quo* here, in each respective colony;" and that if Connecticut adhered "to the West," or New York, "you are an undone people, for there you part with your best friends." But Allyn cautiously wrote back to Andros that the Connecticut Court had "resolved to continue in the Station they are in, 'till his Majesty's pleasure be made known to them for a change," which would "readily be submitted unto."*

CHAP. IX.
1687.
Connecticut urged to submit to Andros.

13 June.

By a curious coincidence, Lord Sunderland, that same day, laid before the king a report of his Plantation Committee on the Connecticut letter of the 26th of January. This report—inaudiciously assuming that letter to express, by its promise to "submit" to the royal commands a surrender of the charter, and also a desire to be annexed to New England rather than to New York—recommended that Andros should be instructed to signify his majesty's acceptance of the "dutiful submission" of Connecticut; to take the colony under his government; and to swear Treat and Allyn in the council of New England. James at once approved his committee's report; and Lord Sunderland was ordered to give the proper directions to Andros. This action was taken in too great confidence. All further proceedings on the Quo Warranto were dropped, in spite of Randolph's advice that a legal judgment on the writ was "absolutely necessary," as much in the case of Connecticut as it had been in that of Massachusetts. It was an error—like that into which gentlemen sometimes fall when dealing with sharpers.†

18 June.

Error of the English government about the "submission" of Connecticut.

Randolph's advice unheeded.

Ignorant of this action at Whitehall, Dongan again urged Lord Sunderland to have Connecticut and the Jerseys joined to New York, because he thought that the addition of any part of Connecticut to Massachusetts would be "the most unproportionable thing in the world, they having already a hundred times more land, riches and people than this Province, and yet the charge of this government more than that,"

8 Septem.
Dongan again writes to Sunderland about Connecticut.

* Col. Rec. Conn., iii., 227, 281-283; Mass. Rec., v., 514; Mass. H. S. Coll., xxvii., 177; Hutch. Coll., 556; Dalrymple, ii., 90.

† Mass. H. S. Coll., xxxii., 197, 208; Chalmers's Ann., i., 208, 305-310; Col. Rec. Conn., iii., 277, 278, 281, 385, 470; Ford's Tracts, iv., No. 3, p. 47; *ante*, 468.

CHAP. IX. which had "a vast advantage" by the recent annexation of
 1687. Pennaquis. The next month, on hearing that Treat and
 Allyn had written to London their wish that Connecticut
 "might be added to Boston," Dongan bluntly expressed to
 the Hartford Court his "great surprise" at the weak or the
 deceitful conduct of their governor and their secretary;
 and—yet in the dark about what had been done in En-
 gland—pressed the Connecticut legislators to join their col-
 ony to New York. When, at length, the whole truth was
 revealed, Dongan, with Celtic impulsiveness, told Lord Sun-
 derland that Connecticut had been taken from "the bul-
 wark to Boston," and been added to New England, "by the
 fraud" of Treat and Allyn, "unknown to the rest of the
 General Court; and, for one that wishes it as it is, there is
 a hundred in that colony that desires it were annexed to
 the Government of N. Yorke." Dongan wrote honestly;
 but he did not fully know the mind of his sovereign in
 England.*

As soon as he received his "effectual orders" from James,
 22 October. Andros left Boston with several of his council, and some
 Andros at
 Hartford. sixty grenadiers as his guard; and, traveling by way of
 Providence, New London, and Wethersfield, reached Hart-
 ford, "where he was received with all respect and welcome
 congratulation," and was "greeted and caressed" by the
 governor and assistants of Connecticut. A General Court
 31 October. of the colony, specially summoned by Treat, was in session,
 and there was "some treaty between his Excellency and
 them that evening." It is related, upon "tradition," that
 Treat remonstrated against the surrender of the charter;
 and it is said that after Andros had secured one of the
 copies of the instrument, the lights were "blown out," and
 that Lieutenant Joseph Wadsworth secretly carried off "the
 duplicate" from the table, and hid it in a large hollow oak
 tree. No contemporary writing, however, mentions this
 alleged occurrence. Andros himself does not appear to
 have observed it; and Secretary Allyn, in his own hand-
 writing, closed the old records of the colony with the fol-
 lowing entry: "His Excellency Sir Edmund Andros, Knight,
 Captain General and Governor of His Majesty's Territory

Andros se-
 cures the
 Connecti-
 cut char-
 ter, and
 Wads-
 worth its
 "dupli-
 cate."

* Col. Dec., iii., 429, 511; Col. Rec. Conn., iii., 586, 587. New England writers seem to have shunned or obscured this detail: see Palfrey, iii., 541, 542.

and Dominion in New England, by order from his Majesty James the Second, King of England, Scotland, France and Ireland, the 31st of October, 1687, took into his hands the Government of this Colony of Connecticut, it being by his Majesty annexed to the Massachusetts and other Colonys under His Excellency's Government. FINIS." Thus did Andros—according to Puritan notions—"commit a rape on a whole colony."³

CHAP. IX.

1687.

31 October.
Andros takes the government of Connecticut into his hands.

The next morning Andros was conducted by the officers of the late Corporation of Connecticut to its "public Court-house" at Hartford, attended by the royal counselors Stoughton, Mason, Wintthrop, Usher, Pynchon, Gedney, and Tyng, who had accompanied him from Boston. Suspecting no duplicity respecting the actual surrender of the Connecticut charter, the governor general had his commission publicly read, and then swore the complacent Treat and Allyn into office as royal counselors of New England. After establishing royal courts in Connecticut without any opposition, Andros crossed from New London to Newport, where the old seal of Rhode Island was broken, and his unquestioned authority was acknowledged. At last the dominion of James the Second was supreme throughout New England. A post-route—which had been originally suggested by Lovelace and urged by Dongan—was soon afterward arranged by Andros between Boston and Stam-

Andros's royal commission read publicly in Connecticut, and royal counselors sworn.

23 Novem.
Post-office in New England.

* Col. Rec. Conn., iii., 243, 249, 387-390, 450; Trumbull, i., 371, 372; Holmes, i., 421; Bancroft, ii., 430; Arnold, i., 504, 506; Palfrey, iii., 541-543, 545; Force's Tracts, iv., No. 9, p. 47, 48. Chalmers (writing in 1780, eleven years before Trumbull) states that the Connecticut charter was carefully concealed "in a venerable elm," at the time that the "submission" letter of 23 January, 1687, was written: Annals, i., 298, 306; ante, 468. The tree in which Trumbull (i., 371) says that Wadsworth hid the charter on 31 October, 1687, stood in front of the house of Samuel Willys, and was long known as "The Charter Oak," until it was blown down, in a great storm, on the morning of 21 August, 1856: Holmes, i., 422; Hist. Mag., i., 4, 5; Palfrey, iii., 542. In May, 1715, the Connecticut Court granted Wadsworth "the sum of Twenty shillings," in consideration of his good service, "especially in securing the duplicate charter, in a very troublesome season, when our constitution was struck at, and in safety keeping and preserving the same ever since, unto this day." Ms. Conn. Rec., quoted by Palfrey, iii., 543. According to Doctor Stiles, Nathaniel Stanley took one copy of the charter, and John Talbot the other, when the lights were "blown out" in the Hartford Meeting-house. One of these documents is now in the office of the Secretary of State of Connecticut; and a fragment of the other is in the Library of the Historical Society at Hartford, "having been obtained from a tailor to whom it had been given, or sold." Palfrey, iii., 543. Considering that Wadsworth appears to have safely kept "the duplicate" in his possession until 1715, it looks as if he secured it in January, 1687 (at the time stated by Chalmers), and that the original, which was so ostentatiously "brought into the Court" on 15 June, 1687 (after Wadsworth had "secured" the duplicate), was the one of which it is supposed that Andros "obtained possession" in October of the same year: compare Col. Rec. Conn., iii., 238; Palfrey, iii., 539, 543. Chalmers and Palfrey—the earliest and the latest printed authorities—make me skeptical about the traditional stories of Stiles or Trumbull, so reiterated in New England Common School books.

CHAP. IX. ford, on the border of New York, upon which John Perry was appointed to carry a monthly mail as the deputy of the provincial postmaster Randolph.*

1687.

Dongan a true "New Yorker."

Of all the British colonial governors of New York, Dongan was perhaps most truly a "New Yorker." He seemed to have identified himself with her hereditary catholicity in religion, and her comprehensiveness in secular affairs. Learning that Lamberville had urged the Onondagas to meet the governor of Canada at Cataracouy, he forbade them to go there, and ordered the Jesuit to come to New York. Not long afterward, it was further ordered in council that the French should not be allowed to hunt "toward Schuylkill and the Susquehanna." When it was ascertained that Denonville really meant to attack the New York Iroquois, the Senecas, warned by Dongan, recalled their war-parties from Ohio and Virginia, and sent delegates to Albany to ask help from "Corlaer." The Indian commissioners there made the savages large presents of ammunition, but declined to send European soldiers to aid them in repulsing the Canadians. As they went sadly home, the Seneca ambassadors replied, "Since we are to expect no other assistance from our Brethren, we must recommend our wives and our children to you, who will fly to you if any misfortune shall happen to us."†

7 April.

6 June.

The Senecas seek the protection of "Corlaer."

But while Dongan was thus striving to hinder the French from interfering with the Iroquois, whom he graphically described as "the bulwark" between New York and Canada, his sovereign at Whitehall was paralyzing his well-meant zeal. The politics of Europe again swayed the interests of America. Louis, troubled by the condition of affairs in Canada, sent the Count D'Avaux to London "on purpose" to settle the boundaries between it and Hudson's

James and Louis.

* Col. Rec. Conn., iii., 390, 391, 393, 397, 398, 438, 439, 446; Arnold, i., 505, 506; Palfrey, iii., 536, 543-548; Force's Tracts, iv., ix., 47, 48; Mass. H. S. Coll., xxviii., 173; Col. MSS., xxxiii., 261; Chalmers, i., 208, 463; *ante*, 196-198, 413, 424. There is much curious and novel information about Boston and its neighborhood, in the autumn and winter of 1687, in a pamphlet entitled "Report of a French Protestant Refugee," privately printed by Mr. J. Carson Brevoort, of Brooklyn, L. I., in 1868. Among other things, the writer says, "You may also own Negroes and Negresses; there is not a house in Boston, however small may be its means, that has not one or two." * * "Negroes cost from twenty to forty Pistoles, according as they are skillful or robust;" Report, etc., p. 20; compare *ante*, 237. A list of the inhabitants of Boston in 1687 has recently been published by the Prince Society as an appendix to John Dunton's Letters.

† Col. MSS., xxxv., 54, 55, 60, 66; Col. Doc., iii., 393, 440; ix., 325; Colden, i., 78, 89; Doc. Hist., i., 144; Charlevoix, ii., 348; Penn. Col. Rec., i., 202; *ante*, 442.

Bay on the north, and New York on the south. But this was found to be "a thing which it was not possible to decide." Yet, to make the union of James with Louis "more perfect," the British ministers proposed a Treaty of Neutrality, which should be observed by the subjects of both crowns in America. James therefore empowered his Chancellor Jeffreys and others to arrange the details with Barillon, the representative of Louis. A treaty was accordingly signed at Whitehall, by which it was agreed that there should be peace and good correspondence between the subjects of both kings in America; that those subjects should not assist the "wild Indians" with whom either king might be at war; that those of the one should not fish or trade in the territories of the other; that unlicensed privateers should be punished as pirates; and that, notwithstanding any breach between their sovereigns in Europe, a firm peace and neutrality should be maintained between English and French subjects in America. The ministers of Louis foresaw "that if the King of England should arm and commission his subjects in New England, the Frenchmen in those parts could not stand before them." It was not pretended, on the part of James, that the Iroquois were his subjects, "and not a single word was said about it." In this remarkable treaty the French king gained a great advantage over his English brother, who thus sacrificed to his "mistaken politics" those noblest of native American tribes who had so long been "a mighty wall against the irruptions of the Canadians." Copies of it, in English and Latin, were sent to Dongan by the Privy Council, with orders to cause it to be "daily observed and executed."*

CHAP. IX.

1687.

1686.
16 Novem.
Whitehall
Treaty of
Neutrality
in North
America.

Effect of
the Treaty
of Neutral-
ity.

As soon as it was received at New York the Neutrality Treaty was published. Dongan also dispatched Anthony L'Espinard, of Albany, with a copy of it to Denonville, whom he requested to avoid any correspondence with the New York Indians "of this side of the Great Lake;" and that, as he was "daily expecting religious men from England," whom he intended to put among the Five Na-

1687.
8 June.

16 June.
Dongan
notifies
Denon-
ville.

* Clarke's James II., ii., 93, 94; Charlevoix, iii., 349, 341; Shea's Charlevoix, iii., 273; Chalmers's Ann., i., 559; C. L. Doc., iii., 388, 393, 459, 498; iv., 169, 210; ix., 322, 339, 314, 915; Sylvius, xxiv., 4; Corps Dip., vii. (ii.), 141; Anderson on Commerce, ii., 575, 576, 577; Holmes, i., 418; Grahame, i., 425; Bancroft, ii., 425; Force's Tracts, iv., No. 11, p. 9; *ante*, 466. Smith, i., 78, *note*, errs in stating that this treaty made the Indian trade in America "free to the English and French." It did just the reverse: Garnett, i., 202.

CHAP. IX.

1687.

5 Feb'y.

30 March.
Louis
again or-
ders Iro-
quois cap-
tives to be
sent to his
"galleys."May.
Vaudreuil
in Canada.

8 June.

Denon-
ville's ex-
pedition
against the
New York
Senecas.Iroquois
seized at
Cataracouy
and
sent to
France.

tions, he asked that Lamberville should be ordered, as long as he staid with those Indians, to "meddle only with the affairs belonging to his function."*

Louis had meanwhile sent a copy of the Whitehall Neutrality Treaty to Denonville, with orders to "execute it exactly." He also approved the proposed expedition against the Iroquois, and directed that all prisoners who might be taken from them, in obedience to his order to De la Barre of 31 July, 1684, should be sent to France, to serve "in the galleys." The English were not to be attacked; but if Dongan should not obey his instructions to execute "the Treaty of Neutrality," his conduct was to be reported, so that "his Majesty may demand his recall from the King of England."†

With these dispatches came a re-enforcement of eight hundred French regulars, under the command of Philippe de Rigaud, Chevalier de Vaudreuil, an accomplished soldier, who had distinguished himself at Valenciennes. A camp had meanwhile been formed near Montreal, in which were assembled eighteen hundred regular soldiers and militia, one hundred voyageurs, and three hundred domiciled Iroquois, among whom were the Oneida Garonhiagué, and Kryn, "the Great Mohawk." Denonville took the chief command, assisted by Callières and Vaudreuil. The army, accompanied by the Jesuit fathers Bruyas and Vaillant, went up to Cataracouy, where Millet was now stationed as chaplain and interpreter. In the mean time a number of Iroquois chiefs had come there, at the invitation of Lamberville, to confer with the governor of Canada. These were seized by Champigny, the intendant, and bound fast to stakes in the fort; whence, with some others captured on the Saint Lawrence, making in all fifty "able-bodied men," they were sent down to Quebec and quickly embarked for France, in obedience to the king's reiterated orders. Among these American prisoners was Oreouaté or Tawerahet, the Cayuga chief who had driven the Father Carheil out of that canton three years before. The capture

* Col. MSS., xxxiii., 142; xxxv., 67; Col. Dec., iii., 465, 467-472, 487; ix., 320; Doc. Hist., I., 145; Mun-ell's Alb. Ann., ii., 100; *ante*, 442. By L'Esplanard, Dongan sent to Denonville "some oranges, hearing they are a rarity in your parties;" but the marquis replied that "it was a great pity that they should have been all rotten" before they reached Montreal: Col. Dec., iii., 465, 472.

† Col. Dec., iii., 457; ix., 223, 312, 323, 330; Charlevoix, ii., 320, 340, 341; *ante*, 376, 466.

of these savages was the weakest treachery ever ventured by a governor of Canada. Its first effect was to jeopard the life of Lamberville, who remained at his post, unconscious of Denonville's perfidy. When the news from Cataracouy reached Onondaga, its "Ancients" summoned their "Dawning of the day" into their council, and, full of just indignation, told him what "Onnontio" had done. But, while "Ticorensere" awaited his death-stroke, which appeared inevitable, an old Onondaga, through the influence of Garakontie, thus addressed him: "We have every right to treat thee as an enemy; but we cannot resolve to do so. We know thee too well not to be assured that thy heart hath had no part in the treason thou hast done against us; and we are not unjust enough to punish thee for a crime of which we believe thee to be innocent, which thou dost, no doubt, detest as much as we, and for having been the instrument of which, we are convinced that thou art in despair. Yet it is not proper for thee to remain here. Others would not, perhaps, do thee the justice which we do:—and when once our young men shall have sung the war song, they will see in thee only a traitor, who hath betrayed our chiefs into a harsh and degrading slavery, and they will listen only to their fury, from which we shall not be able to save thee." With these words the great-hearted sachems of Onondaga dismissed the trembling Jesuit, and ordered trusty guides to conduct him "through by-paths" toward Cataracouy; who never quit "Ticorensere" until he was beyond all danger. Thus the French missions among the Iroquois were closed by an act of the Canadian governor, the insanity of which was hardly relieved by the self-denying virtues of those faithful devotees who had labored so long to spread Christianity through Western New York.*

CHAP. IX.

1687.

Lamberville in danger.

The Jesuit spared and dismissed by the Iroquois.

Denonville, on reaching Cataracouy, where he was informed by Lamberville of the result of his folly, sent back

20 June.

* Col. Doc., iii., 431, 433, 453; ix., 234, 298, 324-334, 358-363, 492, 925; La Potherie, i., 332; iii., 57, 62; La Hontan, i., 90-95; Charlevoix, ii., 342, 346, 350, 424; Shea's Charlevoix, iii., 275-278, 282, 283; N. Y. H. S. Coll., ii. (3d), 153, 154, 165-172; Pinkerton, xiii., 290, 291; Colden, i., 78, 79; Shea's Colden, 97, 128; Garneau, i., 261; Shea's Missions, 309, 315, 317; Bancroft, ii., 423; Doc. Hist., i., 134, 146; *ante*, 236, 377, 402, 442, 474. There is an interesting account of the galleys to which Louis condemned the Iroquois in the London Quarterly Review of July, 1866, p. 39-64, and another in the Edinburgh Review of July, 1866, p. 86-120.

CHAP. IX.

1687.

24 June.

4 July.

30 June.

10 July.

The French
at Ironde-
quoit, in
New York.English
and Dutch
taken pris-
oners by
the French. $\frac{1}{2}$ July.
La Fon-
taine Ma-
rion shot
by order of
Denon-
ville.

to Onondaga the imprisoned son and the brother of Grand Gueule, or "Hotre-houati," whom it was important to conciliate. The French expedition then proceeded along the south shore of Lake Ontario, so as to keep the Iroquois doubtful which of their nations was to be attacked. After a week's coasting it landed at "Ganniag-atorontagouat," or what is now called "Irondequoit Bay," in Monroe County; the literal meaning of which, in English, appears to be "an opening from the Lake." There Denonville was joined by the French and Indian auxiliaries under Tonty, La Durantaye, and Du Lhut, who had been ordered thither from the West.* While coming from Lake Huron, early in May, about twenty leagues below Michilimackinac, La Durantaye met Dongan's trading party, which had set out from Albany the previous September, under the command of Captain Rooseboom. It consisted of twenty-nine Christians, three Mohawks, and two Mahicans, who were at once made prisoners, and their goods, which would have bought eight thousand beavers, were pillaged. Below Fort Saint Joseph, at "the Detroit of Lake Erie," Du Lhut, who had been joined by Tonty, soon afterward seized MacGregorie and his later company of twenty-nine Christians, six Indians, and eight prisoners. Both these captured New York expeditions were brought to Niagara, and then to Irondequoit Bay, where they were delivered to the French governor. By Denonville's order, the young La Fontaine Marion, who had accompanied Captain Rooseboom's troop, was shot to death as a Canadian deserter, in conformity with the edicts of Louis, notwithstanding he had a pass from Dongan. The rest of the prisoners were sent to Cataracouy, and thence to Montreal.†

* Col. Doc., ix., 255, 261, 327, 362-364, 402; Barber and Howe's Coll., 265; N. Y. H. S. Coll. (ii.), ii., 176. After being appointed governor of Louisiana (*ante*, 406), La Salle sailed from Pechelle for the mouth of the Mississippi on 24 July, 1684, and on 20 March, 1685, was murdered by some of his followers not far from the present town of Washington, in Texas. In February, 1686, Tonty went down the Mississippi in search of La Salle; and, on his return to Montreal in July, was sent by Denonville to bring down the Illinois in the rear of the Iroquois, which he did: Col. Doc., ix., 300, 301, 315, 316, 323, 327, 331, 352, 339, 363, 364; Hist. Coll. Louisiana, i., 67-70, 85-114, 214-220; N. Y. H. S. Coll., ii., 288-333; Charlevoix, ii., 347, 348; La Potherie, ii., 182-198; Sparks's La Salle, 119-159, 204; Shea's Discovery, 155-213; Shea's Charlevoix, iii., 279-281; Bancroft, iii., 168-173.

† Col. Doc., iii., 430, 431, 434, 436, 437, 438, 476, 482, 489; v., 731; ix., 224, 275, 300, 333, 337, 359, 348, 362-364, 378, 1023; Hist. Coll. Lou., i., 69; N. Y. H. S. Coll., ii. (ii.), 172-176, 190; La Potherie, ii., 203-207; Charlevoix, ii., 352, 353; Shea's Charlevoix, iii., 284, 286; La Montan, i., 95, 96, 97; Pickerton, xiii., 292, 293; Colden, i., 89; Smith, i., 79; Garneau, i., 262; Holgate, 91; *ante*, 121, 496, 429, 432, 443, 444.

Having palisaded their encampment—which was appropriately named “The Fort of the Sands,” and garrisoned by four hundred men under D’Orvilliers—the French pushed southward along the east shore of Irondequoit Bay, through the superb “oak openings” of Monroe and Ontario Counties, which allowed them to march in three columns. Wood-rangers and savages formed the van and rear guards, while the regulars and the Canadian militia were in the centre. After passing two defiles the expedition reached a third, near the Seneca village of “Kohoscraghe,” or Gannagaro, or Saint James, not far from what is now Victor, in Ontario County. The Senecas had meanwhile sent away their women, children, and old men to Cayuga, and to a lake—probably the Canandaigua—“to the southward of their castles.” About five hundred—among whom were several women who would not leave their husbands—remained in an ambuscade near Gannagaro, and, as the French came confidently on, received them with a war-whoop and a fire of musketry. The European regulars, unused to warfare with the American savages, were thrown into disorder until their Ottawa auxiliaries repulsed the Senecas, who left nearly thirty dead on the field. The invaders had eleven killed and as many wounded, among whom was the Father John Enjalran, who had come down from his Ottawa mission with La Durantaye’s party. Among the slain was the famous Oneida chief Garonhiagué, or *La Cendre Chaude*, who had led the first Iroquois emigration to Canada, and became a catechist at the Sault Saint Louis. Instead of pushing on, as their Indian allies advised, the French halted on the battle-field. The next day they marched triumphantly into the deserted and burned village of Gannagaro. Two old Senecas, who had been left behind, were shrived by the Father Bruyas, and then cooked and eaten by the French savages. All the maize that could be found was destroyed. Gandagaraé, or Saint Michael, was next visited in the same manner. The invaders then moved their camp to the great Seneca village of “Theodehacto,” or Totiakto, or Conception, on a bend of the Honeyoye Creek, near what is now West Mendon, in Monroe County. Here a pompous “Act of possession” of all the Senecas’ lands “conquered in the name of his

CHAP. IX.

1687.

12 July.
Denonville
invades
the Seneca
country of
New York.

13 July.

Battle near
Gannagaro.

14 July.

Gandagaraé.
rac.

Totiakto.

CHAP. IX.

1687.

1st July.
The
French
take pos-
session of
the Seneca
country.
21st July.

21 July.

Denonville
only irri-
tates the
Iroquois.

13 July.

Denonville
builds a
fort at Ni-
agara.

Majesty" was attested by the chief officers of the French expedition; while every body shouted "Vive le Roy." At the gate of the small village of Gannounata, or Gannondata, near East Avon, in Livingston County, were found the English arms, which Dongan had caused to be placed there in 1684, "ante-dated as of the year 1683." This greatly disgusted the French, who thought it "beyond question that they first discovered and took possession of that country, and for twenty consecutive years have had the Fathers, Fremin, Garnier, etc., as stationary missionaries in all these villages." After destroying all the Indian corn they could find, being more than a million of bushels, and a "vast quantity" of hogs, Denonville's expedition returned to Irondequoit without meeting any more Iroquois warriors.* And so, having destroyed the stored grain, and the acorn-fed swine, and the frail bark cabins of the thrifty native New Yorkers whose territory he invaded, the French marquis stopped. He was but a weak imitation of Louvois. Thus far Denonville had only irritated the Senecas. He had not humbled the brave red Americans who had fatally disordered his disciplined European troops; whose wooden villages could soon be rebuilt; and whose yellow maize would spring again in quick abundance throughout the beautiful and fertile valley of the Genesee. If he had been a general, Denonville would have pursued the retreating Senecas eastward among the Cayugas and the Onondagas, whereby he might have crushed the power of the Iroquois. Instead of this, he sent back a part of his force to Cataracouy, and went with the rest to the east bank of the Niagara River, where he built a palisaded fort on the spot which La Salle had appropriated in the winter of 1678, and had named the "Fort de Conty." It was "the most beautiful, most pleasing, and most advantageous site on the whole of Lake Ontario." La Salle had chosen it nine years before, to the

* Col. Doc., iii., 251, 252, 431-435, 446, 447, 479; ix., 324, 337-339, 364-365; Doc. Hist., i., 149, 151-154; Col. MSS., xxxv., 169; Hist. Coll. Lon., i., 70; N. Y. H. S. Coll., ii. (ii.), 157-163, 176-182, 189-191; La Potherie, ii., 207, 208; La Hontan, i., 68-101; Charlevoix, ii., 553-555; Shea's Charlevoix, iii., 285-290; Cadden, i., 50, 81; Shea's Missions, 298, 318, 371, 375; Pinkerton, xiii., 293, 294; *ante*, 179, 236, 324, 398, 400. I think that La Hontan exaggerated when he wrote, "We found in all these villages *horses, cattle, poultry, and an abundance of hogs.*" At all events, Denonville speaks only of the "vast quantity of hogs" which the French destroyed; compare Col. Doc., ix., 338, 337; Charlevoix, ii., 355; La Hontan, i., 101; Pinkerton, xiii., 294; N. Y. H. S. Coll., ii. (ii.), 191; Col. Doc., iii., 432, "in one village they got some hogs and fowls."

great disgust of Andros; and now Denonville occupied it again to "circumvent" Dongan. A formal "Act" was drawn up, declaring that La Salle's previous possession was "reiterated anew," in the name of Louis the Fourteenth. SHAR. IX.
1687.
31 July.

The Fort at Niagara was mounted with some small cannon, and the Chevalier de la Troye, who had led the expedition to Hudson's Bay the year before, was left in command of the garrison of one hundred men, with the Sieur des Bergères as his lieutenant; and Lamberville was appointed chaplain. Denonville then returned to Montreal by way of Cataracouy, where he left another garrison of one hundred men in charge of D'Orvilliers.* 24 July.
3 August.
De la
Troye, Ber-
gères, and
Lamberville at Ni-
agara.

The Mohawks and Oneidas had meanwhile advised Dongan of Denonville's invasion of the Senecas. The New York Council determined at once to protect the Five Nations; and the governor, with Counselors Brockholls and Palmer, hastened to Albany. Under the late Treaty of Neutrality, Dongan assumed that the Iroquois were British subjects, although they had not yet been distinctly claimed as such by his king. It was thought, too, that the French might push on eastward; and Brockholls was therefore sent down to New York, with orders to Colonel Bayard there, and to Major Willett in Queen's County, to send up the river militiamen for the defense of the frontier of the province at Albany and Schenectady.† 12 June.
24 June.
Dongan's
precau-
tions
against the
French.
13 July.

Soon afterward Dongan talked with the Iroquois, whom he had convened at Albany. He congratulated his "Brethren" that the French had done them so little harm, and told them that he would send Palmer to report to the King of England all that had happened. In the mean time he advised the Five Nations not to kill any Frenchmen whom they might take prisoners; to manage their own affairs by a secret council; to make peace with the Ottawas, Miamis, and further Indians, as well as with the Mahicans; and to draw home those Iroquois who had been Christianized 5 August.
Dongan's
conference
with the
Iroquois at
Albany.

* Col. Doc., iii., 396, 432, 435, 476; ix., 335, 336, 339, 363, 369, 386, 388; Doc. Hist., i., 149, 150, 153; Col. MSS., xxv., 160; La Potherie, ii., 203; La Montan, i., 101, 102; Pinkerton, xiii., 294, 295; Charlevoix, ii., 337, 356, 366, 369; Colden, i., 81, 82; Shea's Lou. H. S. Coll., i., 70; N. Y. H. S. Coll., ii., 182, 185; Shea's Charlevoix, iii., 290, 291; Shea's Missions, 318; Garneau, i., 264. I have already noticed the misdate in Denonville's "Act of Possession:" *ante*, 163, 164, 325.

† Col. MSS., xxv., 70, 71; Council Min., v., 125, 200; Doc. Hist., i., 150, 157; Col. Doc., iii., 475; *ante*, 475.

CHAP. IX. in Canada; to name the "most convenient" place on Lake Ontario where the English might build a fort; to refuse to receive Lamberville or any other French priests, "having sent for English priests, whom you can be supplied with, all to content;" and to be on their guard, and make no treaties without Corlaer's means, nor do any thing with the French without his knowledge; "for then you will be looked upon as the King of England's subjects." Dongan then referred to the recent outrages of the Oneidas, who had "killed a fine gentleman, with some others," at the head of the James River. These outrages had obliged Lord Howard of Effingham to come with Sir Robert Parker from Virginia to New York, where, while lamenting the governor's absence at Albany, the citizen-peer was otherwise "satisfied with his entertainment." The Five Nations were chidden for their breach of the treaty of 1684, and told that, if they did so again, New York and Virginia would dig up the buried axes, and "totally ruin" the breakers of the covenant chains. But the Senecas, who had never done any thing against Corlaer's orders, were freed from blame, "except the making of that unlucky peace with the French three years ago, which has been the cause of all these troubles."*

6 August.
Reply of
the Five
Nations to
Dongan.

The next day, *Sindacksegie*, a Mohawk sachem, answered for the Five Nations that the French had attacked them only because, "about six years ago," the Senecas had troubled La Salle at Niagara during the government of Andros, who had forbidden those French to trade there; and because those New York Iroquois had "submitted themselves to the King of England," when Lord Howard, of Virginia, was with Dongan at Albany in 1684. As to hunting beavers in the great West of America, what, asked the Mohawk, had "the Christians to do with that," to the prejudice of its aborigines? "O, Brethren!" he added, with the serene logic of truth, "you tell us the King of England is a very great King:—why should you not join with us in a just cause, when the French join with our enemies in an unjust cause? O, Brethren, we see the reason

* Col. Doc., III., 426, 428, 433-441, 475; Dec. Hist., I., 151; III., 73; Golden, I., 53, 52-57; Smith, I., 80-85; ante, 296, 298. Neither Beverley nor Burk mention this second visit of Lord Effingham to New York in July, 1687.

of this. The French would fain kill us all; and when that is done, they would carry all the beaver trade to Canada; and the Great King of England would lose the land likewise. Awake, therefore, O, Great Sachem beyond the Great Lake [the Atlantic], and suffer not those poor Indians who have given themselves and their lands under thy protection, to be destroyed by the French, without cause?" After this pathetic appeal the Iroquois agreed to Dongan's propositions, and promised not to receive Lamberville or any other French Jesuit; and, if possible, would draw the Christian Indians back from Canada. They suggested the Salmon River, in Oswego County, as the best place for an English fort; and engaged that they would do every thing to prevent further mischief toward Virginia, and also that they would make no peace with the French without permission of the Governor of New York. Several Seneca sachems, who had been in the engagement near Gannagaro on the third of July, then gave an account of what the French had done in their canton. Upon this, Dongan felt justified in interpreting the Treaty of Neutrality so that he might supply the Senecas with arms and ammunition, which he did; although he declined to assist them with soldiers, as the farmers in New York were then all busy with their harvest.*

On his return to Montreal, Denonville, having received the letter which Dongan had sent him by L'Espinaud the previous June, charged him with duplicity in sending New York traders to Michilimackinac, "where no Englishman had ever put a foot, and where our Frenchmen have been established over sixty years;" and reproached him for breaking the Treaty of Neutrality, by advising and protecting the Iroquois, and causing the French missionaries to leave the cantons. MacGregorie and the other prisoners would be retained until the Neutrality Treaty should be executed. In a later letter Denonville rejected the claim of the English, and maintained the right of the French to sovereignty over the Iroquois; adding, "I am astonished that you should be ignorant that before Manate belonged to the King, your master—being in possession of

CHAP. IX.

1687.

The Iroquois appeal to James for protection.

6 August. Dongan supplies the Iroquois with arms and ammunition.

21 Aug. Denonville's reply to Dongan.

13 Aug. The French sovereignty over the Iroquois maintained.

* Col. Doc., iii., 428, 441-447, 474; v., 76; Doc. Hist., i., 151, 152, 157, 164; Col. MSS., xxxv., 90, 91; Shea's Charlevoix, iii., 259; *ante*, 326, 327, 479.

CHAP. IX. the heretic Dutch, as you are aware—our missionaries, persecuted and martyred, found there an asylum and protection!"*

1687.

August.
Kryn, the
"Great
Mohawk,"
meets
"Blue
Stocking"
at Lake
Cham-
plain.

As Denonville wished to know what was going on in the Mohawk country, Kryn, "the Great Mohawk" chief at the Sault Saint Louis, offered to go with five others and bring his countrymen in New York to treat with Onnontio. Most of the party were dressed by the French in "very nigh Christian habits." On reaching Lake Champlain by way of Chambly, they met sixty Mohawks, commanded by "Blue Stocking," who, with Dongan's assent, were going to make prisoners in Canada. Kryn addressed his old companions so eloquently that he persuaded four of them to go back with him to Canada. Instead of capturing the Canadian proselyte and his followers, the Mohawks returned to their country, accompanied only by Kakariall and Adandidaghko, whom they sent from Albany to New York as prisoners, and who were examined before Counselor Van Cortlandt. They had both been with the French expedition against the Senecas, of which they gave interesting accounts. Both expressed their shame at having left their own country, but declared that "if a priest would settle at Saragotoga," many would return; "for they have waited a long time for it."†

31 August.
1 Septem.

The Iro-
quois want
an En-
glish priest
at Sarato-
ga.

18 August.
19 August.
20 August.
War tax
levied by
Dongan
and his
council in
New York.

2 Septem.

8 Septem.
Dongan's
instruc-
tions to
Palmer
going to
England.

Upon returning to the metropolis, Dongan and his council, considering the expenses caused by the French, enacted the levy of an additional penny in the pound upon the freeholders and inhabitants of Kings, Queens, Dukes, Dutchess, Richmond, Orange, Westchester, and Suffolk Counties. But only a halfpenny in the pound was levied on New York, Albany, and Ulster, "these three places being the only support of the Government."‡

As Palmer was now going to England, Dongan gave him full instructions to lay before James the condition of

* Col. Doc., iii., 466-472, 487; ix., 336; Doc. Hist., i., 130-162; *ante*, vol. I., 346, 373, 374, 402, 423; ii., 119, 121, 466.

† Col. Doc., iii., 431-438, 483, 487, 488, 512, 514, 530; ix., 332, 333; Col. MSS., xxxv., 95; Charlevoix, ii., 357, 358; Shea's Charlevoix, iii., 292; Shea's Missions, 299, 319, 330; *ante*, 442, 476. Isaac Swinton, the deputy secretary under Spragg, having died while Dongan was at Albany, the council ordered, on 6 July, 1687, that Counselor Van Cortlandt should take charge of the seal, and John Knight act as deputy secretary: Council Min., v., 195; Col. Doc., iii., 407, 426; Col. MSS., xxxv., 162.

‡ Council Min., v., 198, 199, 200; Council Journ., i., Int., xx.; Col. Doc., iii., 476, 477; Doc. Hist., i., 154, 155, 158.

New York, and the conduct of the French in Canada. In this interesting paper the governor again urged that Connecticut and New Jersey should be joined to New York, which could not alone "help our Indians," as its revenue had fallen off from some thirty-five thousand beavers exported every year, to about nine thousand. Forts should be built on Lake Champlain, at Salmon River, and at Niagara on Lake Ontario; and smaller posts between them and Schenectady. The boundary with Canada should be adjusted in England; but not until the country had been better explored by the English, in which matter "the French at present have much the advantage." Priests should also be sent from England to live among the Indians. Dongan likewise asked Sunderland that people should be sent to New York from Ireland, "who had pretences to estates there, and are of no advantage to the country, and may live here very happy." A few days afterward he informed the lord president that news from Albany would oblige him to spend the winter there; and that "it is a great misfortune for this government that there are so few of his Majesty's natural-born subjects;—the greater part being Dutch, who, if occasion were, I fear would not be very fitt for service."*

CHAP. IX.

1687.

Forts proposed, and colonial boundary with Canada to be adjusted.

8 Septem.
Dongan wishes Irish people to be sent to New York.
12 Septem.

On receiving the information brought by L'Espinard from Canada, it was ordered in council that Albany and Schenectady should be strengthened with palisades, a watch kept, and Indian scouts stationed near Lake Champlain. Word soon came that the French had provided fifteen hundred pairs of snow shoes, with the intention of destroying Albany during the winter, and threatened to send its inhabitants to Spain, Portugal, and the West Indies. The council therefore ordered that the Five Nations should send all their old men, women, and children to the neighborhood of Catskill, "Livingston's land," and elsewhere along the Hudson River, where they could be assisted in case of need. It was also determined that Dongan should spend the winter at Albany, which was in great consternation; and that every tenth militiaman in the province should be drafted to go thither, "except those that were out

7 Septem.
Dongan, by advice of his council, resolves to winter in Albany.

9 Septem.
New York precautions in favor of the Iroquois against the French.

11 Septem.

* Council Min., v., 269; Col. Doc., iii., 421, 423-430, 470-473; Doc. Hist., I., 157-159, 165; ante, 471.

CHAP. IX. the last year a whaling.* This exception affected only the east end of Long Island.

1687.

14 Septem.
Action of
the Albany
officers.
15 Septem.

The mayor and aldermen of Albany also conferred with the Mohawks, who gave up a French prisoner to the family of Viele, still held a captive in Canada, "to wash the tears of his wife and children." Their war-chief, Tahajadoris, lamented that their party who had met Kryn on Lake Champlain had not seized him; but they would at once send out expeditions to attack the French. The Onondagas also asked succor for the Senecas and Cayugas, and suggested that Oswego would be a better place than Salmon River for the proposed fort. They were told that Dongan would spend the winter at Albany with a large force, and expected them to send him re-enforcements; upon which they joyfully promised to "acquaint all the nations."†

29 Septem.
14 October.
Dongan's
arrange-
ments for
the govern-
ment of
the province.

8 October.

Before going to Albany, the governor appointed and swore Stephanus van Cortlandt mayor of the City of New York, as successor to Nicholas Bayard. John Younge, who was now "a very old" man, and lived at the east end of Long Island, one hundred and fifty miles from Fort James, was removed from the council because he detailed "many aged and sickly men, and others without arms or cloths," to make up the quota of Suffolk County for the expedition to Albany. In his stead, James Graham was appointed and sworn as a counselor. Peter Schnyler was reappointed mayor of Albany. It was also ordered in council that certain Spanish Indians who had been brought from Campeachy, in Mexico, and sold as slaves, should be set free. This was only confirming previous legislation in 1680. The New England Puritans ruthlessly enslaved both the long-haired native red American, and the curly-haired imported black African. But New York was more just toward the superior aboriginal races, who occupied North America ages before Europeans usurped their lands.‡

11 October.
Spanish
Indian
slaves
again set
free in
New York.

Dongan's uncle, Tyreconnell, the lord lieutenant of Ire-

* Council Min., v., 202-205; Dec. Hist., I., 155, 156, 162, 163, 166; Col. Doc., iii., 477-482, 487; Col. MSS., xxxiv., 120.

† Col. Doc., iii., 482-488; Col. MSS., xxxv., 99; Council Min., v., 206; Col. Rec. Conn., iii., 857; *ante*, 483.

‡ Council Min., v., 207, 209, 210; Col. Doc., iii., 416; iv., 726, 847; Val. Man., 1852, 286, 289; Dunlap, ii., App. cxxxv.; Min. of Com. Council, I., 312; Col. MSS., xxix., 86; xxxiv., 77, 78; xxxv., 162; *ante*, 296, 331, 462.

land, now informed him that it was "requisite" for the king's service that he should go home. The governor at once wrote to James that he would cheerfully obey his commands; but that he was largely in debt on his majesty's account, "and no ways left to paying it if Connecticut be not joined to this government, which your Majesty will otherwise be continually out of purse to maintain, and whoever comes after me will certainly run your Majesty more in debt."^{*}

CHAP. IX.

1687.

24 October.
Dongan writes to James about his expected recall.

The governor being now ready to winter in Albany, it was ordered in council "that Major Brockholls sign all warrants, papers, and licenses, usually signed by his Excellency, and that all other public business be managed by him and the council, as if his Excellency were present."[†]

25 October.
Brockholls in command at New York during Dongan's absence at Albany.

Had Dongan's advice been adopted by his sovereign, English Jesuits might have replaced French missionaries in English New York. But the English disciples of Loyola do not seem to have had the manly spirit of adventure among the savages which distinguished their order in France. At this time there were three Jesuit fathers in New York: Thomas Harvey, of London, who had accompanied the governor from England; Henry Harrison, of Ireland; and Charles Gage, of Norwich. One of them seems to have taken charge of the Latin school which Jamison had relinquished; and Dongan asked James to endow it with the "King's farm." To this school Graham, Palmer, and Tudor "did contribute their sones for some time; but nobody imitating them, the college vanished," although the Dutch Church bell was tolled every morning at eight o'clock to summon the students. The Father Harrison appears to have assisted Harvey as Dongan's chaplain; and one of them seems to have taken the name of John Smith. He had a small chapel adorned with images, which the governor arranged in Fort James; and this Smith was a very "good-humored" man.[‡]

English Jesuit priests in New York under Dongan.

Latin school or college in New York under Dongan.

* Col. Doc., iii, 406, 422, 423, 425, 475, 487, 492; Burnet, i, 246; Council Journ., i, Int., xxiii.; Secret Services Charles II. and James II., 195.

† Council Min., v, 211. On the 20th of October, 1687, before he left New York, Dongan chartered the manor of Pelham: Patents, vi, 296; Bolton, i, 536-539.

‡ Col. Doc., iii, 324, 495, 527, 613, 717; iv, 398, 490; v, 478; ix, 266; Doc. Hist., i, 145; ii, 14, 147; iii, 73; Smith, i, 90; N. Y. H. S. Coll. (1868), 338; Bayley's Sketch, 19, 22; Shea's Charlevoix, iii, 264; Shea's Missions, 314; *ante*, 374, 495, 431, 440, 442. Sixty pounds a year were paid to "two Romish priests that attended on Governor Dongan:" Council Min., vi, 17; Col. MSS., xxxvii, 163; *post*, 641.

CHAP. IX.

1687.

Novem.

Andros's
jealousy of
Dongan.

On reaching Albany, where he was attended by Chaplain Innis and Father Harrison, Dongan asked from Governor Treat, of Connecticut, the assistance of some of her infantry and cavalry. But Andros, having now superseded Treat, paid no attention to Dongan's "very inconvenient" request.*

9 Septem.
Dongan
protests
against
Denon-
ville's in-
vasion of
New York.

Meanwhile Dongan had protested to Denonville against his invasion of English territory, and demanded the release of MacGregorie and the other New York traders whom he had seized for going to the Ottawas, who, with "the Indians who wear pipes through their noses, traded with Albany long before the French settled at Montreal." Denonville soon afterward returned them safely to Albany, and asked that the Canadian prisoners whom the Senecas had sent to Albany should be given up; praising the English king, "whose rare virtues have attached him to the hearts of all the French."†

24 October.

3 Novem.
Fort
Chambly
besieged
by Mo-
hawks and
Mahicans.
August.
French
captured
at Catar-
couy.

Exasperated against the Canadians, a party of Mohawks and Mahicans besieged Fort Chambly, burned houses, and took several prisoners. Another band, led by an Onondaga chief, captured, near Fort Frontenac, Mademoiselle D'Allonne, and three soldiers of its garrison. Lamberville, who was then there, came out with a white flag, and gave two wampum belts to the savages to prevent them from injuring their prisoners, and from taking part with the Senecas, against which nation only the French were at war. The prisoners were carried to Onondaga, and thence to Albany; and Lamberville's belts were faithfully handed to Dongan. The governor dispatched MacGregorie with letters, demanding Denonville's explanations of these belts; maintaining that the Iroquois had been in "brotherly correspondence" since the first settlement of Albany; had "submitted themselves, their Country, and Conquests to the Dutch in their time, and to the King of England since this Colony came under his Majesty's obedience;" and suggest-

Lamb-
ville's belts
sent to Al-
bany.

25 October.

31 October.

20 Novem.

Dongan
demands
explana-
tions.

* Col. Doc., III., 527, 579; Col. Rec. Conn., III., 393, 399, 400; Mass. II. S. Coll., xxiii., 167-169; *ante*, 457, 469. Colonel Talbot, writing from Hartford on 5 December, 1687, to Andros at Boston, about Dongan's call for aid from Connecticut, says that in King Philip's War "Your Excellency did very honourably and wisely prevent the barbarous heathen from drawing the sword against His Majesty's subjects in the territory of New York, and then under your government:" *ante*, 286, 296.

† Council Min., v., 262, 264; Col. Doc., III., 436, 437, 472-475, 516, 512, 513; ix., 330, 348, 355, 356; Doc. Hist., I., 163-167; Holgate, 91; Shea's Charlevoix, 291; *ante*, 442, 478.

ing that a French agent should be sent to arrange all differences with the English governor at Albany.* CHAP. IX.

Denonville accordingly sent the Jesuit, Francis Vaillant, who had been the last French missionary to the Mohawks in 1683, as his representative to Albany, with the Father Elambert Dumont, who could speak English. Vaillant was instructed to make no propositions, but only to receive any that Dongan might offer. On his return to Canada the father was to visit his old Mohawk flock. So, on the last day of the year, the Canadian agents began their dreary journey from Montreal.† 1687.
18 Decem.
Denonville sends Vaillant and Dumont to Albany.

In writing to Paris, Denonville put as good a face as he could on his miserable Seneca expedition; blamed Dongan heartily, and advised a new French campaign the next year against the Onondagas and Cayugas. But the best thing for France would be to get the Iroquois country from the English, "either by exchange or otherwise." Dongan had not asserted English sovereignty over these savages until 1684, and would never faithfully execute the Whitehall Treaty of Neutrality. The forts at Niagara and Detroit must be maintained by the French; and more soldiers should be sent to Canada. If Louis could gain from England "the entire coast of Manate, it would be a great advantage for religion and our country, which will, sooner or later, suffer from the vicinity of the English." This idea, broached by Duchesnau in 1681, Denonville now enforced. Callières also urged that Dongan should be recalled, as the surest means of ending the French and English strife about the Iroquois. The acquisition by Louis of New York, with its beautiful harbor of Manhattan, "would render his Majesty master of all North America."‡ 15 Aug.
17 Oct.
Denonville complains of Dongan to Louis, and advises the gaining of New York.

English domestic affairs had meanwhile grown more critical. Having dispensed with the Test Act of 1673, James determined to take another step, which, he thought, would put the Church of Rome in place of the Protestant denomination which had been established by law in England. By his commissions and instructions to Andros and to Dongan,

* Col. Doc., iii., 479, 480, 513-517, 527, 529, 535; ix., 362, 389, 390; Quebec MSS., v. (ii.), 427; Doc. Hist., i., 266; Charlevoix, ii., 366, 369, 367; Garneau, i., 267; Warburton, i., 411; Smith, i., 85, 86; ante, 441, 481, 483, 484.

† Col. Doc., iii., 517-519, 521; ix., 389, 392; Quebec MSS., v. (ii.), 429; Charlevoix, ii., 367; Smith, i., 86; ante, 377, 476.

‡ Col. Doc., ix., 165, 286, 336-364, 367-371, 373, 919, 920; ante, 364, 401, 431.

CHAP. IX. the king had already ordained liberty of conscience to all his subjects in New England and New York. He now adopted the same policy in regard to those in Great Britain. Among his motives, as stated by himself, were "the example of several foreign countries, where trade flourished most, that nothing could be more beneficial to it than liberty of conscience; that it was the support of Holland; and that the want of it in England had not only cramped its trade, but had furnished the seeds of several rebellions, which had no other origin than one religion's lording it over the rest." James accordingly issued his royal declaration—which Penn is said to have helped to draft—that all laws against non-conformity to the English formula of religion should be suspended, and that all British subjects should have free leave "to meet and serve God after their own way and manner." This declaration was ordered to be published throughout the kingdom, and in the Plantations of England.*

4 April.
Declara-
tion of lib-
erty of
conscience
by James.

The Protestants, who had been driven from France after the revocation of the Edict of Nantes, were now openly favored in England; the liberality of the nation was again appealed to in their favor, and they were chartered to build a new church in London. In answer to a petition of several of them in New York, Dongan was directed to give such French Protestants as might settle in the province "all fitting encouragement, so far forth as may be consistent with His Majesty's service;" and letters of denization were promised, "whereby they may become qualified to trade."†

21 April.
French
Protestant
refugees
favored by
James.

19 July.
Denization
promised.

At the same time, James resolved to carry out his purpose of making the Plantations more immediately dependent on the crown. He accordingly ordered writs of Quo Warranto "to forfeit all the Charters of the Proprietors and Corporations in America." New Jersey, Maryland, and Carolina were the special objects of this fresh attack; for Connecticut was understood to have surrendered her charter. Pennsylvania was excepted by the express com-

28 May.
Writs of
Quo Warranto
ordered
against
charters
and corpora-
tions in
America.
Pennsyl-
vania ex-
cepted.

* Clarke's James II., ii., 102-115; Ellis Corr., i., 269; Evelyn, ii., 273, 276; Dalrymple, ii., 55-58; Boreby, 243; Wodrow, iv., 424-426; Parl. Hist., iv., 1388; Kennett, iii., 463-465; Rapin, ii., 757, 758; Burnet, i., 714; Lingard, xiv., 121-124; Macaulay, ii., 204-213; Falfrey, iii., 490, 548; Col. Rec. Conn., iii., 393; N. Y. Council Minutes, v., 214; *ante*, 452-455.

† Col. Doc., 419, 420, 426, 427; Evelyn, ii., 253, 254, 277, 282, 284; Ellis Corr., ii., 157; Kennett, iii., 472; Macaulay, ii., 76-80, 215, 216; *ante*, 464.

mand of James, as her proprietor had purchased immunity CHAP. IX.
by becoming "a tool of the King and the Jesuits."*

East Jersey, however, obtained a temporary boon. 1687. Her capital and sea-port was Perth Amboy, which was considered to be "within the River of New York," up which Dongan had been instructed to allow no goods to pass, unless the duties on them should have been paid at the metropolitan custom-house. This regulation having been enforced, the New Jersey proprietors complained to the king, and asked that "an officer might be appointed at Perth Am- 30 May. boy to collect the Customs, [and] to cause the acts of Navigation to be executed." Dongan was accordingly instructed to permit all vessels bound to New Perth, in East Jersey, to go thither directly, without touching at New York; provided that the person whom he or the receiver general at New York might appoint should be suffered by the East Jersey government "peaceably and quietly to receive and collect for His Majesty's use the same customs and imposts as are usually paid at New York for such ships and their lading as are entered there."†

James at the same time ordered that a new seal, which 14 August. had been so long desired, should be sent to the governor of New royal seal for New York. New York. It was made of silver, engraved on both sides, and bore the significant motto, "ALIVS Q: ET IDEM"—*other, yet the same*. This seal was to be "of the same force and validity as any former seal" within the province.‡

These dispatches reached New York while Dongan was 19 Novem. at Albany. Andrew Hamilton, the acting governor of 21 Novem. East Jersey, having produced before the council a duplicate of James's letter regarding Perth Amboy, measures to give it effect were ordered. The king's declaration of the 25 Novem. previous April for liberty of conscience was also read and Action in New York. published in the metropolis.§

Collector Santen's case having been considered in London, his commission was revoked. Although Dongan had recommended Graham, Matthew Plowman, an English Ro- 4 Novem. Santen removed and Plowman appointed collector of New York.

* Dalrymple, ii., 89, 90; Annual Reg., 1771, 247; Chalmers, i., 298, 371, 425, 543, 622, 654; Grahame, i., 485; Whitehead, 111, 112; Col. Rec. Conn., iii., 378, 384; Proud, i., 309-314; Dixon, 239, 259; Kennett, iii., 469; Macaulay, ii., 292, 295-297; *ante*, 433, 471.

† Col. Doc., iii., 340, 373, 392, 428, 502; Chalmers, i., 622; Whitehead's E. J., 111; Index to N. J. Col. Doc., 12, 13; N. Y. Council Min., v., 1-6, 212, 213; *ante*, 455, 460.

‡ Col. Doc., iii., 360, 365, 378, 427; iv., 812; v., 369; Doc. Hist., iv., 1, *; *ante*, 427, 433.

§ Council Minutes, v., 212, 213, 214; Whitehead's E. J., 118, 155.

CHAP. IX. Jean Catholic, was appointed collector and receiver of New York, at a cost of five hundred pounds. Plowman's instructions were fuller than Santen's in 1683. Among other things, he was directed to permit all vessels bound to East Jersey to go directly to Perth Amboy. At Dongan's request, Counselor Stephanus van Cortlandt was commissioned by Auditor General Blathwayt to be his deputy in New York.*

15 May.
Negotia-
tion at
London
about New
York.

Negotiations for the settlement of all differences in America between the French and English governments had been going on in the mean time at London. Louis sent Bourepos to assist his ambassador Barillon, and ordered them to represent to James that Dongan continued to "thwart" the French in Canada; had supplied the Iroquois with arms; and had broken the Treaty of Neutrality of November, 1686. The French ambassadors accordingly requested the king to order Dongan "to put an end to the troubles" he had caused; and also to direct Andros not to disturb the French established in Acadia by virtue of the Treaty of Breda.†

23 Oct.
7 Novem.

At this moment Palmer reached London with Dongan's September dispatches. It was now perceived at Whitehall that "a treaty of neutrality in America was not for the interest of England." Denonville's invasion of the Seneca country, and the appeal of the Five Nations to their "Great sachem beyond the great Lake," brought to a crisis the question of European sovereignty over the Iroquois. As that sovereignty must be either French or English, James determined to maintain the claim asserted by Andros and Dongan, that the Five Nations were British subjects. Accordingly, he instructed Dongan that those savages had, "from all times," submitted themselves to English government, and, "by their acknowledgments," had become his subjects; and he directed his governor of New York to demand from the Governor of Canada the release of all British prisoners, "as well Indians as others," with the restitution of their goods. "And as we are sensible," continued James, "of what great prejudice it may be to us and our subjects,

19 Novem.
James's in-
structions
to Dongan
about the
Iroquois.

* Col. Doc., III., 335, 336, 407-414, 420, 421, 429, 433-503, 641, 650, 718, 719; Doc. Hist., I., 110-116; Commission, I., 78; Council Min., v., 223; N. Y. H. S. Coll. (1868), 290; ante, 464.

† Col. Doc., III., 506; ix., 314, 330, 345; Ellis Corr., I., 224, 280, 305; ante, 475.

if any incroachment be allowed on our Dominions, or the French permitted to invade our Territories or to annoy our subjects without a due care in us to preserve the peace of our government, and to give all due protection to such as have brought themselves under our subjection; We do, therefore, hereby charge and require you to give notice, at the same time, to the said Governor of Canada, that upon mature consideration We have thought fit to own the Five Nations or Cantons of Indians, namely, the Maquaes, Senecas, Cayougas, Oneydes, and Onondagues, as Our Subjects, and resolve to protect them as such." To make good this assertion, James farther ordered Dongan "to defend and protect" those Indians from the Canadians; to build necessary forts; to employ the militia of New York; and to call on all the neighboring English colonies for assistance. Royal orders were, at the same time, sent to Andros and the other English governors in North America to give New York "such help" as her governor might require.*

CHAP. IX.
1687.

10 Novem.
Orders to
other royal
governors.

"Very much surprized" at the complaints of Louis against Dongan, James answered that it was "well known" that the Five Nations of New York had been British subjects, as proved, since the first settlement of their country by Europeans, "and now lately by their voluntary submission, made and confirmed by them in writing to the Crown of England, on the Thirtieth of July, 1684, before His Majesty's Governors of Virginia and New York." The English king was therefore obliged to protect those Indians, "as other his subjects;" but he would not suffer them to annoy the French Canadians if the latter did not injure them; and the limits between the dominions of France and England in North America might be adjusted by a treaty between the two European crowns. The French commissioners, not prepared to make such a treaty at once, signed an agreement that until the first day of January, 1689, and afterward, no English or French commander in America should "commit any act of hostility against," or invade the territories of either king; and that the necessary orders should be given by each sovereign. At the same time, the agents of Louis, in answer to the "entirely novel" preten-

16 Novem.
Answer of
James to
Louis
about the
Iroquois.

31 Decem.
Agreement
to prevent
colonial
hostilities.

3 Decem.

* Col. Doc., III., 428, 438, 475, 503, 504; Chalmers, I., 425, 466, 539; Col. Rec. Conn., III., 428, 442; Penn. Arch., I., 104, 105; Burk., II., 301, 302; ante, 483, 485.

CHAP. IX. sion of James, insisted that the Iroquois had acknowledged French sovereignty since Champlain "took possession" of their country; that, in 1665 and 1666, they had by treaty declared themselves French subjects; that in October, 1666, Tracy had again taken possession of their country, and that their alleged acknowledgment of British sovereignty in 1684 "cannot be admitted, to the prejudice of the ancient right and actual possession of the French." Moreover, when the Neutrality Treaty was made in November, 1686, the English had not pretended that "the Iroquois were subjects of His Brittanic Majesty; and not a word was said about it." Here the negotiations at London ended.

1688. In communicating their result to Dongan, James directed him to avoid "all occasions of misunderstanding" with the Canadians; "entertain a good correspondence" with them, and take care that no just complaints should be made against him. Similar letters were sent to Andros and to Penn.*

Vaillant and Dumont at Albany.

February. Negotiations with Dongan.

27 Feb.

8 Feb.

Meanwhile Vaillant and Dumont, whom Denonville had sent to Dongan, had reached Albany, under the escort of MacGregorie, after maltreatment on their winter's journey by a party of drunken Mahicans. Dongan promptly restored their effects and punished the offenders. A long negotiation followed between the representatives of New York and Canada, chiefly upon the proper construction of the Treaty of Neutrality. The king's letter of November having been sent to him by Andros at Boston, Dongan announced that he "must protect" the Five Nations as English subjects, and required the French to demolish the fort at Niagara, and restore all goods and prisoners they had taken. At the request of the Iroquois, he also demanded that the forts at Cataracouy and Tireksarondie, or Detroit, should be demolished. The French agents demurred, and were sent back directly to Canada with a letter to Denonville, under the escort of Dirk Wessels, of Albany, and some savages, who did not allow them to visit the Mohawk country.†

Dongan also had an interview with "the wisest men of

* Col. MSS., xxxv., 187; Col. Dec., iii., 121-127, 135, 417, 418, 504-510, 549; ix., 371; Chalmers's Ann., i., 466, 530; Penn. Arch., i., 103, 104; *ante*, 397, 455, 481.

† Col. Dec., iii., 519-532, 536; ix., 389, 702; Col. Rec. Conn., iii., 438, 442; Charlevoix, ii., 367, 368, 370; Quebec MSS., v. (il.), 441; Council Min., v., 218; Smith, i., 56; *ante*, 478, 482.

the Five Nations" at Albany, and told his "Brethren" that the King of England had adopted, and would protect them as his own "Children." The sachems expressed joy that James had taken them under his protection, and said that instead of the French having any right to their country, the Iroquois could better claim all Canada. Dongan replied that his king was "the greatest man that the sun shines upon:—he never told a lie in his life," and he would surely protect them. He therefore wished them to promise not to make peace or war without the consent of all. The sachems answered that they would refer themselves wholly to Dongan, who represented their "great King," and hoped that he would remove the French from Niagara, Cataraugus, and Detroit.*

CHAP. IX.

1688.

13 Feb.
Dongan's
talk with
the
Iroquois.

In writing from Albany to Sunderland, Dongan reported his doings with the Canadian agents and with the delegates of the Iroquois, who must be kept "fast" to the English, "for if they were otherwise, they are able to ruin all the King's Colonies in these parts of America." And, he added, "we must build forts in the country upon the Great Lake, as the French do, otherwise we lose the country, the beaver trade, and our Indians; and also there must be Missionaries sent amongst them; the French Priest [Vaillant] desired of me leave for their Missionaries to go and live amongst them again, by which I find they make religion a stalking-horse to their pretence." Again he urged that the Jerseys would be a "very convenient" addition to New York, which, in case of war with the French or Indians, "must be the bulwark to Boston, which is not at the fourth part the charge New York is, and has ten times the revenue." Connecticut should also be annexed to the government of New York.†

19 Feb.
Dongan's
report to
Sunder-
land.

Baxter now came down to New York with instructions from the governor for the Council to consider ways and means to defray the extraordinary charges which the French movements had caused the province. These charges were more than eight thousand pounds; and the Council, finding

13 March.
Baxter
sent down
to New
York.

* Col. Doc., iii., 510, 533-536, 579. A different account of this interview is given in Col. Doc., ix., 389, 390, upon the report of an escaped Carlinawaga prisoner, from which Charlevoix (ii., 368) compiled his statement about Dongan's advising the Iroquois only to cover the hatchet "under the grass."

† Col. Doc., iii., 510, 511, 512; Col. Rec. Conn., iii., 357, 442; *ante*, 472, 482.

COUNCIL. IV. that New York "alone is no way able to bear so great a burthen," advised that the "neighboring colonies" should be invited to contribute. A few days afterward Dongan returned to the capital, and gave the Council a full account of his doings at Albany. Under the authority of the king's letter of November, 1687, he also called on the governments of Pennsylvania, Maryland, Virginia, and New Jersey to aid that of New York with money; as New England, "being to help us with six hundred men, any other assistance cannot be proposed from them."*

To fortify Dongan's appeal to Sunderland from Albany, it was also resolved in Council to address the king "that this government has been much diminished by taking away Pemaquid, the Jerseys, Pennsylvania, and the lower counties of Delaware; that this is the bulwark of all these parts of America; that the revenue is but small, yet the charges very great; that Connecticut in his Majesty's patent from Charles the Second, is added to Boston by the contrivance of the Governor of it and the Clerk of the Colony, and unknown to the major part of the Colony; that the French war has stop't the beaver trade; so that, without some speedy help, this place will be ruined."†

* Council Min., v., 220, 221, 222; Col. Doc., 563, 564; Doc. Hist., i., 167; Penn. Arch., i., 104, 105; Col. Rec., i., 217; Chalmers, i., 466; *ante*, 492.

† Council Min., v., 221, 222; Col. Doc., iii., 511; Maine H. S. Coll., v., 132; *ante*, 472, 482.

CHAPTER X.

1688-1689.

WHILE Dongan and his counselors, in the citadel of Manhattan, were thus urging their trans-Atlantic monarch to restore to New York some of her ancient territory, as a means of protecting her frontier against colonial enemies, King James the Second of England, near the Whitehall banqueting-house, where his father lost his head, was arranging American provincial affairs to suit his own royal purposes.

CHAP. X.

1688.

Of all the sovereigns of England, James the Second knew most about her colonies. Soon after the restoration of his brother he was made the proprietor of a large royal English-American province. In the details of its administration he took a lively personal interest, because the revenue of that province affected his pocket. So, with his own hand, the hard-working Stuart prince wrote many letters to his deputies in New York. Certainly his dispatches had the merit of directness and precision. Unconstrained by the conventional phrases which often beguile mere secretaries, the terse holographs of the Duke of York uttered his own imperious will.

With this long proprietary experience, James became the sovereign of England and her dependencies. Yet, while as king he could no longer correspond directly with his colonial subordinates, he retained some tranquil pleasure in guiding the action of his Plantation Committee. The diligent business habits of the Duke of York infused order and economy into every department of the government of James the Second. As far as mere administration was concerned, his short reign seems to have been more effective than that of any other English sovereign.

Colonial
adminis-
tration of
James the
Second.

But with orderly and frugal administration, Englishmen got a more despotic system of government. The personal

CHAP. X.

1688.

Govern-
ment of
James.

character of their industrious king was stamped on all his measures. James was too active to drift; he always wanted to row and to steer. His ministers were less his advisers than his instruments. Governing at last without a Parliament, James of England became almost like Louis of France, himself "THE STATE."

James
more a bigot
than a
tyrant.

Yet James was more a bigot than a tyrant. His chief object was to establish in England the Roman Catholic religion in place of the Protestant. To this end he claimed sovereign power to dispense with statutes, forfeited charters of corporations, and delayed summoning a Parliament until he felt sure that it would meekly obey him. The king did not attempt, and probably did not desire, to abolish what popular representation there was in England, but he wished to make the English Lords and Commons as subservient as were his temporary ministers. He would have rejoiced to see Parliament in London resemble the docile "Bed of Justice" which affirmed the decrees of his kingly brother in Paris. If his English subjects would but think as he did, James would have liked their representatives to gather about him at Westminster and sanction the laws he desired. So they would maintain his supremacy by becoming a breakwater to defend the crown's hoary prerogative against the advancing surges of democracy.

Popular
representa-
tion not al-
lowed in
the English
colonies.

Thus shunning popular representation in England, James denied it to the English colonies in America. These he insisted on governing by his royal prerogative as "dependencies" of the British crown, and not as constituencies of the British empire. So had his predecessors determined; so had English courts awarded; so were most Englishmen willing that those colonies should be treated. As its proprietor, James had conceded to New York a popular Assembly, which, as its sovereign, he had abolished. Dongan, with his Council in New York, and Andros, with his Council in New England, were now the only English makers, and the only English enforcers of laws throughout the territory between the Hudson and the Saint Croix. In New York, Dongan represented that imperial crown which first had delegated, and then had recalled British authority. So Andros, in New England, represented the same sovereign whose delegations of colonial power had been abused by

his trans-Atlantic subjects near Cape Cod. James had already resolved that the vigor of direct monarchy would be better for them than the discords of substituted oligarchies, which damaged his American realm. At the worst, Andros was but one English ruler instead of several. Governor or oligarchs—commissioned by the crown or chartered—all were creatures of their British king. “The People” in New England had not given, and could not give, any authority to their colonial rulers. In truth, the American government of James the Second was more tolerant and just than that which it superseded. Certainly it provided for the prosperity and happiness of all classes of inhabitants, who, while not allowed colonial assemblies, were guaranteed equal rights in America, and as large religious liberty as Englishmen in England.

CHAP. X.

1688.

James the
Second's
colonial
policy tol-
erant and
just.

Bigot and tyrant, James had one characteristic which shone in vivid contrast. He was a more patriotic Englishman than his faithless brother. Anxious for the support of Louis, James scorned to betray England to France. Yet he had stretched courtesy by his treaty of colonial neutrality in the autumn of 1686. Scarcely had he remedied that error by his next year's agreement and his orders to prevent hostilities in North America, when James saw that Louis had gained an advantage. The American British colonies were at stake. New France, with its undefined territory, was governed by a viceroy, who executed his French king's orders. The neighboring British possessions had discordant local administrations of English authority. To the savages, Louis seemed a greater monarch than James. As long as Canada had the energy of union, while New England, New York, New Jersey, and Pennsylvania were distinct and inharmonious, so long France would be stronger in America than England.

22 Jan.
James
faithful to
England.

Dongan's warnings now impressed Whitehall: James's recent arrangement with Louis about colonial hostilities offered British statesmanship a grand chance to establish the supremacy of England in the trans-Atlantic world. And so the king did the best thing he could, which was to unite, as far as convenient, all the North American British possessions under one vice-regal government. Seeing that Andros had brought the New England colonies into de-

CHAP. X.

1688.

Policy of
Consolidating the
English
colonies in
America.

March.

April.

Peculiar
condition
of New
York.

pendence on the crown, James resolved to carry out his policy of union or fusion. By this means he hoped to secure all his American territories against their neighboring Canadian adversary, and, at the same time, strengthen his own arbitrary rule over them. For colonial reasons, Dongan had urged that Connecticut and the Jerseys should be annexed to New York. The matter of the Jerseys had been already decided. Finding that the king had expedited writs of seire facias against them, Perth, with his co-proprietors, surrendered their powers of government to him. Connecticut, however, had just been quietly joined to the other New England colonies under the government of Andros. So, instead of annexing Connecticut to New York, as Dongan had asked, James resolved to add New York and the Jerseys to his "Dominion of New England." Thus all the territory which his grandfather's patent of 1620 had named "New England in America" would be brought, for the first time, under one royal English governor. Hitherto, New York had never really been a part of the titular "New England" of James the First. Her central geographical position, her vast territory, her extraordinary variety of interests, and her peculiar relations to Canada and the Iroquois, had demonstrated that a separate government was a necessity for her. These considerations did not deter James the Second from his purpose of consolidating all his American colonies north of the fortieth degree of latitude. Yet he made one solitary exception:—it was Pennsylvania. Her Quaker proprietor had long enjoyed the favor of James, who at this moment found him too useful an instrument to be offended. Protected by her astute owner's "interest" at court, Pennsylvania, alone in her immunity, escaped the forfeiture of her charter. But all the rest of British North America, between Delaware Bay and Passamaquoddy, and stretching across the continent from the Atlantic to the Pacific, was now to be made a political whole, under one colonial governor chosen by the king, to rule his "Dominion of New England."*

* Col. Doc., iii., 362, 364, 392, 397, 415, 416, 425, 429, 492; Hatch, Coll., 552; Leaming and Spicer, 604, 642; S. Smith, 204, 206, 211, 595; Gordon, 53; Grahame, ii., 299; Bancroft, ii., 46, 47; Whitehead's E. J., 112, 113; Index to N. J. Col. Docs., 13; Chadmer's Ann., i., 5, 6, 622; Rev. Col., i., 183; Proud, i., 322, 341; Dalrymple, ii., 89, 90; Narcissus Luttrell, i., 477; Macaulay, ii., 292, 295; *ante*, vol. i., 96; ii., 418, 490.

Whom that viceroy should be, was already determined. CHAP. X.
 Either Dongan or Andros must be displaced. Both had 1688.
 been twice commissioned by James, first when duke, and Andros.
 afterward as king. Andros had the largest experience in
 government, and, perhaps, the best executive talent. He
 had already governed New York, and was now vigorously
 ruling New England to the satisfaction of his arbitrary sove-
 reign. Although "fond of prelaey," Sir Edmund was not
 a Roman Catholic. But he had proved himself an uncom-
 promising executer of all the royal commands. A thorough
 soldier, Andros made quick obedience his canon of duty.
 On the other hand, Dongan, also a soldier, yet more a pa- Dongan.
 trician, was an Irish Roman Catholic, a nephew of Tyre-
 nell, and the presumptive heir of the intensely loyal Earl
 of Limerick. But, with equal affection and fidelity to his
 king, Dongan had more independence of character than
 Andros. He had not hesitated to foil and embitter Penn,
 nor to anger Perth and Melfort in his own master's serv-
 ice. He had been sharply censured by the King of France
 for maintaining the American interests of the King of En-
 gland. In a word, Dongan had shown more official "zeal"
 than a cunning politician might think expedient in a subor-
 dinate. So the Roman Catholic governor of New York was
 superseded, and offered the command of a regiment, with
 the rank of major general of artillery in the British army,
 and a new commission was ordered, making the Protestant
 Sir Edmund Andros governor general of James the Sec-
 ond's whole "Territory and Dominion of New England in
 America."*

By this step James appeared to have made a graceful
 concession to Louis. Seignelay hastened to notify Denon- s March.
 ville that Dongan had been recalled, and that his successor
 was to live in harmony with the Canadian authorities. "His
 Majesty," it was triumphantly added, "could not believe
 that the King of England would countenance the chimeri- Louis de-
ceived.
 cal pretension which that Colonel would fain claim for him
 over the Country of the Iroquois." But in this Louis erred.
 While James recalled Dongan, he adopted Dongan's Indian
 policy; and the "speculative wisdom" which directed colo-

* Col. Doc., iii., 348, 354, 422, 423, 457, 492; iv., 314, 322; Mass. H. S. Coll., xxxii., 293; N. Y. Council Journals, i, Int., xxiii.; Chalmers's Ann., i, 425, 628; ante, 449-450.

CHAP. X.

1688.

25 March.

James
affirms his
sovereignty
in
America.

7 April.

The king's
new com-
mission to
Andros.Extent of
James the
Second's
"Territory
and Do-
minion of
New En-
gland in
America."

nial union in British North America anticipated that it would "be terrible to the French, and make them proceed with more caution than they have lately done." At the same time that Andros was instructed to "entertain a good correspondence" with the French Canadian authorities, he was enjoined to "protect" the Five Nations of New York as British subjects. So far was James from giving up what Louis called the "chimerical pretension" of Dongan, or from surrendering an acre of his claimed American dominion to France, that he affirmed his sovereignty over the whole region lying between the Saint Croix, the Saint Lawrence, and the great lakes on the north, and the fortieth degree of latitude on the south, and stretching across the continent from sea to sea.*

The new commission which James now sent to Andros was similar to that which he had given him in 1686, with an additional clause annexing to his government the neighboring colonies of Rhode Island and Connecticut, the province of New York, and East and West Jersey, "with the territories thereunto belonging." By this instrument Andros was made King James's captain general and governor-in-chief of "all that tract of land, circuit, continent, precincts, "and limits in America, lying and being in breadth from "forty degrees of northern latitude from the Equinoctial "line, to the River of St. Croix eastward, and from thence "directly northward to the River of Canada, and in length "and longitude, by all the breadth aforesaid, throughout "the main land, from the Atlantick or Western Sea or "Ocean on the East part, to the South Sea on the West "part; with all the Islands, seas, Rivers, waters, rights, mem- "bers and appurtenances thereunto belonging:—(our Prov- "ince of Pennsylvania and Country of Delaware only ex- "cepted,) To be called and known, as formerly, by the name "and title of our Territory and Dominion of New England "in America." Thus, after sixty-eight years full of mar- velous vicissitudes, nearly all the nominal "New England" of James the First was brought, by his grandson, under the rule of a sole vice-regal representative of the British crown.†

* Col. Dec., iii., 504, 513, 518, 519; ix., 253, 372; Hatch. Mass. Coll., i., 371, 559; Chal- mers's Ann., i., 425, 520; Rev. Col., i., 184; Chauleroix, ii., 376; *ante*, 405.

† Col. Dec., iii., 537-542; Chalmers's Ann., i., 425, 426, 500; Mass. H. S. Coll., xxvii., 130

James's instructions to Andros, like those he gave to him and to Dongan two years before, were minute and specific. Forty-two* of the principal inhabitants of his several colonies and provinces were named by the king to be members of the Council of his "Dominion of New England in America," to whom his governor general was to communicate such of the royal instructions as he should "find convenient." These counselors were to have freedom of debate, and seven of them were necessary to act as a quorum, except on "extraordinary emergencies." By the advice and consent of a majority of these counselors laws could be made and taxes imposed. The governor was authorized to suspend any counselor "for good and sufficient cause," and he was required to nominate to the Plantation Committee "persons fit" to supply vacancies. In nominating counselors, as well as in choosing judges, sheriffs, and other legal officers, he was "always to take especial care that they be men of estate and abilities, and not necessitous people, or much in debt, and that they be persons well affected to the government." All laws within the "Dominion" were to remain in force until the governor and his Council should make others. The "new seal," which had been devised in 1686 for the king's "Colonies of New England," was now to be alone used throughout his present "Territory and Dominion in its largest extent." As a consequence, it was directed that the seal of the province of New York, which had been ordered in August, 1687, should be "broken and defaced." Liberty of conscience in matters of religion was to be allowed "to all persons, so they be contented with a quiet and peaceable enjoyment of it," pursuant to the king's declaration of the fourth of April, 1687, which was "to be

CHAP. X.

1688.

16 April.
The king's
instructions to
Andros as
his viceroy
in New
England.

The seal of
New York
to be de-
stroyed.

-149; xxxii., 298; Force's Tracts, iv., No. 8; Rhode Island Col. Rec., iii., 212-218; *ante*, vol. i., 96; vol. ii., 449, 450.

* The persons composing Andros's council were now Joseph Dudley, William Stoughton, John Pyncheon, Peter Bulkley, Richard Wharton, John Usher, Bartholomew Gedney, Jonathan Tyng, Edward Tyng, Barnaby Lathrop, Samuel Shrimpton, Simon Lynde, and William Brown, of Massachusetts and Maine; Robert Mason and John Hincks, of New Hampshire; Thomas Hinckley, William Bradford, Daniel Smith, John Walley, and Nathaniel Clark, of Plymouth; Walter Clarke, John Sanford, John Coggeshall (Coxhill), Walter Newberry, John Greene, Richard Arnold, John Alborough, and Richard Smith, of Rhode Island; Robert Treat, Fitz John Winthrop, Wait Winthrop, and John Allyn, of Connecticut; Anthony Brockholls, Frederick Philipse, Jervis Baxter, Stephen van Cortlandt, John Spragg, John Younge, Nicholas Bayard, and John Palmer, of New York; Francis Nicholson and Edward Randolph, at this time of Boston. Col. Doc., iii., 543; R. I. Rec., iii., 255; Hutch. Mass., i., 354; Mass. H. S. Coll., xviii., 182; Williamson, i., 584; Arnold, i., 598; Palfrey, iii., 553, 552, 604; Col. Rec. Conn., iii., 411, 412, 447.

CHAP. X. duly observed and put in execution." But nothing was said about the ecclesiastical jurisdiction of the Bishop of London or the Archbishop of Canterbury in the English American possessions. This had been provided for in the king's Instructions of June, 1686; but James, her "Defender of the Faith," now thought chiefly of subverting the English Church establishment. Neither did he require any schoolmaster to be licensed by the Bishop of London or the Archbishop of Canterbury, as formerly. The injunction, however, was renewed, that no press be used, nor book be printed, without the governor's license. The English Royal African Company was to be encouraged, and "ill masters" were to be restrained from inhuman severity toward their slaves, while the conversion of negroes and Indians to Christianity was to be promoted. The recent Instructions to Dongan respecting the Iroquois were reiterated, and Andros was directed to inform the Governor of Canada that the King of England had resolved to own the Five Nations as his subjects, and "to protect them as such." At the same time, he was to observe the agreement for preventing hostilities in America, and "entertain a good correspondence" with the French officers there.*

The Church of England not regarded in Andros's instructions.

Negroes and Indians to be converted.

The Iroquois to be protected as English subjects.

30 April. Francis Nicholson lieutenant governor.

The New England seat of government transitory.

Such were the prominent directions of James for the government of his New England dominion. As its territory was now so vast, it was necessary that some one should be appointed to act as chief executive officer under Andros in case of his absence, and to take his place in case of his death. Captain Francis Nicholson, who commanded one of the companies of regular soldiers at Boston, was accordingly commissioned to be the king's "Lieutenant Governor of New England, with directions to observe such orders as he shall receive" from its chief governor. To Andros's present salary of twelve hundred pounds, two hundred were added out of the six hundred allowed to Dongan, of which the remaining four hundred were assigned to Nicholson as lieutenant governor. No place was fixed by the king as the "Seat of Government" of his dominion. It was necessarily transitory. It might be at Boston, or New York, or elsewhere, at the discretion of Andros, who, with

* Col. Doc., iii., 372, 375, 427, 533, 534, 543-549; Mass. H. S. Coll., xxvii., 148; *ante*, 450, 451, 453-456, 490-494.

a majority of his counselors, could make laws whenever and wherever they pleased.*

These arrangements were notified to Dongan by James, who signified his pleasure that, on the arrival of Andros at New York, the seal and the records of that province must be delivered to him, and that its colonial governor should return to England, and expect marks of royal "entire satisfaction" about his services in the most important British possession in America.†

Ignorant of these sweeping changes which his sovereign was directing at Whitehall, Dongan had pledged his personal credit, and even mortgaged his farm on Staten Island, to secure upward of two thousand pounds which he had borrowed from Robert Livingston to meet the expenses of the Albany expedition. The provincial debt was so heavy that the governor had been obliged to call on Pennsylvania, Maryland, Virginia, and New Jersey to assist New York with ready money.‡

But little aid came from abroad. Andros was required by the king to assist New York with the men, but not the money, of New England. In answer to Dongan's appeal, Pennsylvania withheld and Maryland refused any help. Virginia was not disposed to contribute; but Lord Howard, of Effingham, her governor, who had witnessed Dongan's zeal in Indian affairs, sent him five hundred pounds. New Jersey, anxious to stand well with the king, voted a tax for the benefit of New York, which, however, does not appear to have been paid.§

When the accounts of the Albany expedition were at last made up, it was found that the province was so much in debt that a new levy of money was necessary. Dongan and his Council accordingly passed an act to raise two thousand five hundred and fifty-six pounds and four shillings in the several counties, according to a fixed rate. This tax was directed to be paid to Matthew Plowman, the king's new

CHAP. X.

1688.

22 April.
The king
notifies
Dongan.Dongan
pledges his
estate for
New York.

30 March.

Little aid
to New
York from
the other
colonies.

14 May.

3 May.

17 May.
New tax
levied by
Dongan
and his
council.

* Col. Doc., iii., 374, 537, 542; iv., 263; Hatch. Mass., i., 362, Coll., 559; Palfrey, iii., 561, 562; *ante*, 451.

† Col. Doc., iii., 550; Council Min., v., 237; N. Y. H. S. Coll., iii., 253; Hatch. Coll., 564; Chalmers, i., 500.

‡ Col. Doc., iii., 511; iv., 133, 134, 137; Hist. Mag., v., 184; Doc. Hist., i., 167, 168; Council Min., v., 222, 229; Secret Services Ch. II. and James II., 195; *ante*, 487, 496.

§ Col. Doc., iii., 593, 619, 620; Doc. Hist., i., 167; ii., 25; Penn. Arch., i., 104, 105; Col. Rec., i., 217; Penn., i., 338; Bark., ii., 301, 302, 303; Leaming and Spicer, 300-300; Whitehead, 113, 120, 121; Chalmers's Ann., i., 426, 629; *ante*, 386.

CHAP. X. collector, at the custom-house in New York before the next November.*

1688.
4 April.

The New
York Re-
formed
Dutch
Church
asks to be
incorpor-
ated.

Interesting local events had meanwhile occurred. The minister, elders, and deacons of the metropolitan ancient Dutch Church prayed Dongan that, as they wished to build their new church outside the fort, as had been contemplated in 1650, the governor would establish them as "a body corporate and ecclesiastic, and thereby qualified persons, capable in law to have, hold, and enjoy lands and tenements, &c., under the name and style of the *Minister or Ministers, Elders and Deacons of the Dutch Reformed Church in New York*." But years rolled on before a successor of Dongan granted the desired patent to this venerable church of Dutch Reformed Christians in North America.†

30 April.
6 May.
19 May.
30 May.

Dongan
goes again
to Albany.

Word having come from Albany that the French were again troublesome, the Council resolved that the governor should hasten there again, and soldiers be sent up the river to observe their enemy. Dongan accordingly commissioned his counselors, Van Cortlandt, Phillipse, and Bayard, to manage provincial affairs during his absence from the metropolis, and gave them full instructions how to act as his temporary representatives.‡

11 June.
Dongan's
corre-
spondence
with De-
nonville.

Intelligence of the negotiations at London reached Dongan at Albany, who informed Denonville that the King of England's letter to him of 22d January ought to end their disputes. A pleasant correspondence followed. The Iroquois were directed by the Governor of New York to withdraw from Canada, and Mademoiselle D'Allonne, who had been taken prisoner at Cataracouy, was sent, with several

17 July.

* Council Min., v., 229, 230, 234; Doc. Hist., i., 167, 163; Council Journals, i., Int., xxi., xxii.; *ante*, 492.

† On the 12th of December, 1686, Domine Selyns and the elders and deacons of the Dutch Church of the city of New York represented to the mayor and aldermen that they were willing to build their new church as soon as a convenient place and necessary materials should be provided, and prayed that their worships would grant them "a certain vacant place of ground, formerly designated for that purpose, lying within this city, or any other convenient place," and also intercede with the governor to give them "a parcel of clipstone from the old fortifications." The Dutch Church was built in Garden Street in 1693, and its officers were made the first religious corporation in New York by Governor Fletcher in 1696. *Ante*, 331, 464, 465; Col. Doc., iii., 315, 415, 717; Doc. Hist., iii., 249, 265, 305; Records of N. Y. R. D. C., Liber A., 49, 161, 163, 169; Patents, vii., 27-36; Smith, i., 301, 302; Murphy's Anthology, 125, 126; Note F., Appendix, p. 661, 662, *post*.

‡ Council Min., v., 229, 231, 235; Col. MSS., xxxv., 148-163, 171; Commissions, i., 76; *ante*, 457. In June, after Dongan went to Albany, John Kluight, who was about to return to England, delivered the New York records in his possession, as deputy secretary, to Van Cortlandt, Phillipse, and Bayard. Col. Doc., iii., 497; Col. MSS., xxxv., 162; *ante*, 463, 484.

others, from Albany to Montreal. But the French were desired to evacuate Niagara.*

CHAP. X.

1688.

Niagara.

8 March.

8 March.
New York,
Canada,
and the
Iroquois.

The French did evacuate Niagara not long afterward. Louis would not admit the pretension of James that the Iroquois were British subjects. Denonville was therefore directed to send all the information he could to Paris respecting the French claim to Hudson's Bay, the Iroquois country, and "the Southern portion of Acadia, from Penobscot to the River Kinnebec;" and Louis declared his intention of appropriating all the unoccupied American territory necessary for the maintenance of Canadian trade. Seignelay also wrote that the exchange or gaining of New York was not possible at present, yet its inhabitants must be prevented from "thwarting the trade of the French." As the king must "chastise the Iroquois," he would send fresh European soldiers to attack the Mohawks and Onondagas who should winter in their country. Forts Niagara and Frontenac must be maintained, and new posts established at Sodus Bay and Salmon River, on Lake Ontario, as well as at the southern end of Lake Champlain, "towards the Mohawks," which would be "at the head of the whole." More Iroquois prisoners should be sent to France, "as it is certain that those Indians, who are vigorous and accustomed to hardship, can serve usefully on board his Majesty's galleys."†

This masterly European scheme of Louis was not to be accomplished. Irritated at the deportation of their brethren to France, the Iroquois harassed the Canadians all the winter. Denonville sent re-enforcements to Niagara, where Millet had succeeded Lamberville as chaplain, which were attacked by the New York Indians, who then besieged Fort Chambly. Some Onondaga captives were restored; and Lamberville, at Cataracouy, persuaded the Oneidas, Onondagas, and Cayugas to send deputies to Montreal. Six hundred warriors, headed by Haaskouan, or Outreouati, the Onondaga whom the French called "Grande-gueule," then descended the Saint Lawrence to the Lake Saint Francis, where they were joined by six hundred more. There the savage force halted, while Grande-gueule, with a few others, went

The Iroquois menace Montreal.

* Col. Doc., III., 555, 565, 564; ix., 391; Col. MSS., xxxv., 160; Quebec MSS. (H.), v., 445, 452, 455, 459, 469, 464, 501; Charlevoix, II., 374; Garneau, I., 267, 268; ante, 488, 494.

† Col. Doc., ix., 371-377; ante, 501.

down to Montreal. Denonville gave them instant audience. Speaking for the Cayugas, Onondagas, and Oneidas, their orator set forth the weakness of the French, and the ease with which the Iroquois could drive them out of Canada. Learning, he said, "that our warriors had resolved to come and burn your forts, and houses, and granges, and corn, so that after famishing you, they could have you an easy prey, I begged so strongly in your favor, that I have got leave to warn Onnontio that he can escape this evil by accepting peace on the terms proposed by Corlaer."*

1688.
Grande-
cucule and
Denonville.

Montreal
dismayed.

8 June.
Denonville
makes
peace with
the Iro-
quois.

These haughty words from the glib Onondaga who had humbled De la Barre at La Famine four years before, and the twelve hundred Iroquois warriors at the Lake Saint Francis, dismayed all hearts at Montreal. News had meanwhile come that nearly all the French left at Niagara the year before had died. Fort Frontenac was invested by the Iroquois, while from the Sorel River to Montreal scarcely a Canadian could venture out of doors. So Denonville agreed to a peace, including the Western savages, and the Mohawks and Senecas, provided he could send supplies to Cataracouy. He also promised to solicit the return of their brethren now in the galleys at Marseilles. The truce was concluded "on the spot," and the Iroquois deputies left hostages to ratify it "at the wane of the August moon."†.

15 June.
The Iro-
quois as-
sert their
independ-
ence of
France and
England.

At Montreal, the Oneidas, Onondagas, and Cayugas rejected Dongan's assumption that they were British subjects. They declared that his claim "was not true; that they had always resisted his pretensions, and wished only to be friends of the French and English equally, without either the one or the other being their masters; because they held their country directly of God, and had never been conquered in war, neither by the French nor the English; and that their intention was only to observe a perfect neutrality." Thus, while Louis and James were wrangling about American sovereignty, the Iroquois asserted their independence of both, and preserved Northern New York, as their own native land, from annexation to Canada.‡

* La Potherie, ii., 221-227; iii., 53; Col. Doc., iv., 343; ix., 243, 247, 256, 257, 258, 290, 402; Charlevoix, 369-371, 373; Bancroft, ii., 424; Garneau, i., 265; *ante*, 403, 404, 481.

† Col. Doc., ix., 369, 391, 395, 396; Charlevoix, ii., 364, 372-374; Colden, i., 88; Garneau, i., 268; *ante*, 495, 481. With truly British contempt for even French idioms, Smith, i., 85, twists the "*sur le champ*" of Charlevoix into "in the field!"

‡ Col. Doc., ix., 384-386; Bancroft, ii., 424.

Soon afterward, the French captives whom Dongan had sent from Albany reached Montreal. In acknowledging his courtesy, Denonville said that, as soon as he could, he would withdraw the garrison at Niagara, "in order to contribute to a permanent peace."

CHAP. X.
1688.
July.
29 Aug.

When Denonville's orders tardily reached Des Bergères at Niagara, he assembled the officers and made a formal record of the condition of the fort. A large wooden cross, eighteen feet high, with an appropriate inscription, which Millet had solemnly blessed on the last Good Friday, was left standing in the middle of the square. The cabins and quarters were also preserved entire, "for the purpose of maintaining the possession his Majesty and the French have for a long time had in this Niagara district." The garrison then evacuated the fort, and came down Lake Ontario to Cataracouy in the bark "la Generale."

6 July.
The French fort at Niagara demolished.

5 Sept.

This abandonment of Niagara by the French was chiefly owing to the policy and the firmness of Dongan.† But before the event was accomplished, his own authority over New York had ceased. On his return from Albany, Dongan received the king's letter of the 22d of April, requiring him to surrender the government of New York to Andros on his arrival there. The unwelcome missive was read in Council, and "ordered to be recorded amongst the records of the Province of New York." And now all was agog. The Long Island Quakers set forth to the expiring government all the losses they had suffered for not training and not paying town-rates according to law; but they got no redress. The act which, in obedience to the king's desire, had been ordered to be engrossed in May, for the education of Indian slaves and negroes in the Christian faith, was either forgotten or dropped. But it was resolved in Council "that all Indian Slaves within this Province, subjects to the King of Spain, that can give an account of their Christian faith, and say the Lord's prayer, be forthwith set at liberty, and sent home by the first conveyance, and likewise them that shall hereafter come to the Province." This was only confirming the Council's action in the previous October.

28 July.
Dongan prepares to give up his government to Andros.
Quakers.

Negroes.

July 29.
Indian slaves.

* Col. Dec., iii., 556; Ex., 386-388, 391, 396; Doc. Hist., i., 168, 169; Col. MSS., xxxv., 169; Quebec MSS., v. (ii.), 460, 464, 502; La Hontan, i., 131, 132; Charlevoix, ii., 357, 364, 372, 374.

† Palmer, in his Impartial Account, p. 21, erroneously attributes the demolition of Niagara to the action of Andros under his new commission. Compare Col. Dec., iii., 556, 557.

- CHAP. X. Robert Allison, who had purchased an Indian slave at Honduras, and brought him to New York, asked that he might retain him in bondage there; but his petition was rejected. As the administration was soon to be in other hands, Dongan and his Council, "for the ease of this, his Majesty's Province, which it is his Majesty's pleasure should be annexed to his Government of New England, Ordered that all further proceedings towards the levying the late tax and imposition of £2555, 6, to be paid by the first day of November next, do cease, and it is hereby suspended 'till further order, and that the sheriffs of the respective counties have notice given them accordingly." The last law passed by Dongan was "to prohibit shoemakers from using the mystery of tanning hides," when Counselors Brockholls, Baxter, Phillipse, Van Cortlandt, and Bayard were present. The same day the last New York patent under her recent provincial seal from James the Second was issued by Dongan to the town of Huntington.*
1688.
30 July.
Tax law suspended.
- 2 August.
Shoemakers not to tan hides.
- Huntington patent.

- 22 Jan. of his wife at Boston, where she was buried with great pomp. Soon afterward he went to New Hampshire and Maine, where his presence was required. At Pemaquid he refreshed himself "with sheep and soles," and then went, in the *Rose* frigate, to the French settlement at Penobscot. Learning his approach, Castin retired, leaving his house shut. Andros respected the baron's altar and emblems of his Roman faith, but he seized his other property, and sent it to Pemaquid for condemnation, on the charge of illegal trading within the British dominions, which were claimed to extend as far east as the Saint Croix River. On his return to Pemaquid, Andros was joined by Secretary Randolph, and a conference was held with the neighboring Indian sachems, who were told not to fear the French, and promised the protection of the English. The conduct of Palmer and West in 1686 was thought by Randolph to be "as arbitrary as the Great Turke." Perhaps Randolph's criticism was deserved, yet not so much because Dongan's
- 10 Feb.
April.
Andros at Pemaquid.

* Col. Doc., II., 514, 427, 550; iv., 510, 511; Council Min., v., 222, 224, 237, 238, 239; Col. MSS., xxxiv., 77, 78; xxxv., 168, 169; Doc. Hist., i., 167, 168; II., 698, 699; Council Journ., i., Int., xvi., xxii., xxiii.; N. Y. H. S. Coll., II., 553; Patents, v., 238-249; Anderson's Col. Ch., II., 360, 341; Evelyn, II., 245; Wood's Long Island, 163, 161; Thompson, I., 468; *ant.*, 320, 321, 434, 455, 480. There are no regular New York Council Minutes in the secretary's office at Albany between 2 August, 1685, and 19 March, 1691.

late agents had been "arbitrary," as because they had ventured "to tear all in pieces that was settled and granted at Pemaquid by Sir Edmund" in 1677, when he was Governor of New York. But the jealousy of Dongan, which Andros continually manifested, was soon appeased. News came from Boston that the king had determined to add New York and New Jersey to Andros's present government. Fort Charles, at Pemaquid, was ordered to be repaired, and its command was intrusted to Ensign Joshua Pipon. Andros then hastened back to Boston to receive his new commission, for the arrival of which he waited "in great expectation." Meanwhile James Graham, who had been his fellow-passenger from England in 1678, and seems to have preferred him to Dongan, had resigned his New York appointments and hurried eastward, where he was made Attorney General of New England in place of Farewell. Graham appears to have been assisted in his new office by David Jamison, the Scotch "sweet singer," who had given up his Latin school in New York, and desired advancement under the rising sun. John West was already at Boston as Randolph's deputy. John Palmer, one of the judges of New York, whom Dongan had sent to London with his dispatches in September, 1687, now returned to New England, of which he had been named a counselor by the king. As the dominion was enlarged by the annexation of New York, Andros appointed Palmer to be one of the judges of its Superior Court, along with Dudley, Stoughton, and Bulkley. And now the governor was "safe in his New York confidants, all others being strangers to his Council." Yet so far from being, as stigmatized by coarse Boston partisans, "a crew of abject persons," the gentlemen who came from New York were "well known to have lived there for a long time in esteem and reputation—enough to merit a better Epithite of all good and honest men."*

CHAP. X.
1688.

10 March.

21 June.
Andros returns to Boston.

Graham and Jamison favored by Andros.

Palmer made a New England judge.

When Andros's vice-regal commission reached Boston, it was proclaimed from the town-house balcony, and Captain

10 July.

* Col. Doc., iii., 428, 429, 430, 450, 513, 515, 551, 567, 571, 657, 662, 663; iv., 282, 476; v., 478; ix., 263, 265, 380, 396; Charlevoix, ii., 360, 387; Col. Rec. Conn., iii., 437-446; Hutch. Mass., i., 364, 370, 371, 381; Coll., 557-565; Adlard's Sutton Dulleys, 77; Palmer's Impartial Account, 22; Force's Tracts, iv., No. 2, p. 8, 9, 16, 18, 21, 22, 37, 40, 53, 58; No. 16, p. 8; Mather, Mag., ii., 586; Williamson, i., 556-558; Belknap, i., 196; Palfrey, iii., 539, 563, 549, 552, 558-560, 562; Mass. H. S. Coll., xxvii., 180; xxxv., 190; R. I. Rec., iii., 297; Andros Tracts (Prince Soc.) i., 12, 43, 114; *ante*, 319, 318, 467, 444, 445, 467, 468, 469, 484.

CHAP. X. Francis Nicholson was installed as Lieutenant Governor of the dominion. A fortnight afterward the governor general set out for New York, attended by Mason, Dudley, Usher, Randolph, and Walley, of his Council, and deputy Secretary West. Nicholson accompanied his chief as far as New London, whence he was sent back to Boston, because the Indians were making trouble near Springfield. On his way Andros was joined by Counselors Clarke, Newberry, Smith, Winthrop, and Allyn.*

11 August. On Saturday, the eleventh of August, the governor general reached the metropolis, where he was received by Colonel Bayard's regiment of foot and a troop of horse. The king's new commission was read in Fort James, and then published at the City Hall. Immediately afterward, Andros sent for and received from Dongan the almost virgin seal of the late government of New York, "which was defaced and broken in Council," according to the king's Instructions. In its stead, the great seal of New England was thenceforth to be used. A proclamation was at once issued continuing all persons not removed by order of the king in their offices, and directing taxes to be continued. Thus Andros began his second government of New York. He had left it seven years before to be justified with the Duke of York. In the interval, the province had gained and had lost a popular assembly. Her old governor now revisited familiar scenes to assume almost imperial authority as the viceroy of James the Second.†

15 August. A few days afterward the governor general went over to New Jersey, with several of his Council, and at Elizabethtown published his commission, as well as the proclamation for continuing officers and the revenue. Similar ceremonies were observed at Burlington. Andrew Hamilton and others were appointed justices of the peace by Andros under the great seal of the dominion. It was remarked that the "out places" of both East and West Jersey were "very thinly inhabited," but that "all shewed their great satisfaction in being under his Majestie's immediate government."‡

* Col. Doc., iii., 550, 557, 567, 568; ix., 392; Hutch. Mass., i., 371; Coll., i., 596; Col. Rec. Conn., iii., 447; Burry, i., 430; Bancroft, ii., 431; Charlevoix, ii., 382.

† Col. Doc., iii., 253, 256, 336, 427, 543, 550, 554, 557, 722; Min. of C. C., i., 320, 330; Dunlap, ii., App. cxxv; *and*, 316, 351, 491, 503.

‡ Col. Doc., iii., 553, 554, 567; Chalmers, i., 530, 622; Smith's N. J., 204, 206, 505; Gor-

If the people of New Jersey were satisfied with the change which brought them directly under the government of their king, the people of New York were not generally pleased that their province should lose its individuality, and be consolidated with New England. It was true that their old governor, Andros, whom many preferred to Dongan, had come back to them. But Andros's return was accompanied with disagreeable circumstances. Geographically, politically, and socially, New York was unlike any other British possession in North America. For half a century before her conquest she had remained a distinct territory of the Dutch Republic, lying between the Puritan colonies of England at the east, and the Episcopalian and Roman Catholic colonies of England at the south. For more than that period her relations with the French in Canada and the savages within her own borders had required peculiar skill in their management. Up to this time New York had always been differently governed from any other British American colony. She had never been a chartered or a corporate government under Dutch or English authority. Her eclectic people never wished to be ruled by incorporated oligarchies like those in New England. What they desired, and what, for a season, they had enjoyed, was a "Charter of Liberties," securing to every inhabitant a share in local legislation, freedom of conscience, and equality of all modes of Christianity. While a Dutch province, New York, with the comprehensive liberality of her fatherland, had invited strangers of every race and creed to nestle among her own early colonists. The invitation had been greedily accepted. For these and other reasons, her people—especially those of Batavian origin—cherished a unanimous "State pride," not surpassed by that professed in any of the colonies by which she was surrounded. She had desired the annexation of Connecticut and the Jerseys because they had belonged to her ancient territory, and because their restoration would only make her what she was intended to be by the patent which Charles the Second had granted to the Duke of York. But New York did not wish

CHAP. X.

1688.

Situation
of New
York.New York
dislikes an-
nexation to
New En-
gland.

don, 53; Bancroft, ii., 413, 431; Whitehead's E. J., 113, 121. The original great seal to Hamilton's commission still exists; Index N. J. Col. Doc., 13. It is difficult to understand what Palfrey, iii., 504, means by saying that "New York and New Jersey had never before had what might seem a stable government of any kind."

CHAP. X.
 1688. to be united with Massachusetts, which—although included within the Dutch “New Netherland” of 1614, six years before the “New England” of James the First—had never been in her actual possession; and, if now joined to her, might be “ruinous and destructive.” It is not surprising that, under these circumstances, the people of New York felt themselves to be in an “unmerited state of degradation,” which they contemplated with “just dissatisfaction.” Their metropolitan city, knowing that it had become “the envy of its adjacent neighbors, who did not cease by all their little artifices to interrupt its trade,” especially lamented “that unhappy annexation to New England.”*

New York-
 ers indig-
 nant.

Peculiar
 reasons
 against the
 annexation
 of New
 York to
 New En-
 gland.

New York
 and Mas-
 sachusetts
 very differ-
 ent.

Besides these political considerations were some of another character. The colonists at the eastern end of Long Island, who had chiefly come from New England, and who wished to barter their oil and other commodities at Boston rather than New York, were perhaps gratified at the change which brought them back to old sympathies. But the ancient Dutch possessors of New Netherland and their descendants had no reason to like most of the New England colonists or their characteristics. If they liked any, they preferred the people of tolerant Rhode Island, whom almost all other New Englanders disliked. The genial Episcopalians of Virginia and the liberal Roman Catholics of Maryland were nearer the hearts of the New York Dutch-English Calvinists than were the sour Puritans of Massachusetts, whose predecessors would not be comforted in Holland by the calm pleasures of a Leyden Sunday. On the American side of the Atlantic these antipathies deepened. Rivals and antagonists from the start, New York and Massachusetts could not be sympathetic. The two colonies differed essentially. The oldest, Dutch one, was always grand, inviting, and magnanimous:—the later, English one, was ever sectional, narrow, and selfish. The cardinal principle of New York was comprehensive liberality:—that of Massachusetts, Procrustean rigor. Both erred in persecuting noisy Quakers. But the history of the old Dutch province in North America is not marred by the despotic self-righteousness which deforms the annals of the “Bay

* Col. Doc., III., 576, 722, 795, 799; Chalmers's Pol. Ann., I., 590; II., 29; Rev. Col., I., 212; Min. of N. Y. C. C., II., 93-96; Dunlap, II., App. xlii.; ante, vol. I., 62-63, 95, 96; II., 500.

State." So it was natural that genial New York did not like too intimate an association with her surly and grasping eastern neighbor. She had acquiesced in the conquest which reduced her, in 1664, under the dominion of Charles the Second and the Duke of York, but she could never have submitted to the selfish and arrogant colonists who so long and so vainly coveted her territory. It was inevitable that New York should consider her compulsory union with Massachusetts, by order of their common sovereign, "an abhorred connection."^{*}

CHAP. X.

1688.

Yet, if the people of New York generally felt it a "degradation" for their province to be annexed to New England, there were some who at first enjoyed a vainglory. The resident counselors Brockholls, Phillipse, Bayard, and Van Cortlandt found their official importance rather increased than diminished by the change. If the New England counselors could now vote on the affairs of New York, the New York counselors could likewise vote on the affairs of New England. This they were soon called upon to do. At a Council held at New York, a law to regulate the carrying of passengers in ships and vessels, which Andros could not pass at Boston because so many counselors there "strenuously opposed" it, was readily enacted. It was also ordered that the New York revenue act of the seventh of May, which Dongan and his Council had suspended on the thirtieth of July, should "be fully and duly executed."[†]

29 August.
Laws passed at New York.

29 August.

Some of the Protestants in New York, who had been troubled at observing Papists settling themselves in the province "under the smiles" of Dongan, appear to have rejoiced in the return of their old governor, Andros. The Dutch Domine Selyns informed the classis of Amsterdam that "Sir Edmund Andros, Governor at Boston and the like, and now stepped into this Government of New York and Jersey—as such having charge from Canada to Pennsylvania—is of the Church of England; and understanding and

10 Oct.
Domine Selyns's opinion of Andros.

^{*} Col. Doc., iii., 391, 402, 576, 797, 799; Chalmers's Rev. Col., i., 212.

[†] Col. Rec. Comm., iii., 447, 448; Doc. Hist., ii., 45; Col. Doc., iii., 567, 568; Rev. in N. E. Just, in Force's Tracts, iv., No. 9, 13, 55; Palfrey, iii., 551, 562; *ante*, 510. The counselors present on this occasion were Dudley, Usher, and Randolph, of Massachusetts; Mason, of New Hampshire; Walley, of Plymouth; Clarke, Newberry, and Smith, of Rhode Island; Winthrop and Allyn, of Connecticut; Brockholls, Phillipse, Baxter, Van Cortlandt, Younger, and Bayard, of New York; in all sixteen, besides the governor. John West acted as deputy secretary.

CHAP. X. speaking the Low Dutch and French, he attends mine and
 1688. Mr. Daillé's preaching." Yet no danger could arise from
 the few Roman Catholics who, assembled to worship their
 creator with Dongan and others in a small chamber in Fort
 James. Even the Puritan Hinckley, of Plymouth, testified
 that the late Governor of New York showed "himself of a
 noble, praiseworthy mind and spirit; taking care that all
 the people in each town do their duty in maintaining the
 minister of the place, though himself of a differing opinion
 from their way."^{*}

Hinckley's
 opinion of
 Dongan.

An event had occurred, however, which gave uneasiness
 to the Dutch people of New York. For almost half a gen-
 eration they had looked with hope to the time when the
 wife of the Prince of Orange—the stadtholder of their fa-
 therland, and their own chief magistrate fourteen years
 before—would become the Queen of England. Joyfully
 would they have mingled cries of "ORANJE BOVEN" with
 "*Long live the Queen.*" But divine Providence bid them
 wait. James the Second had married a Roman Catholic
 second wife, who, after due proclamation of her condition,
 bore him a son on the tenth of June, 1688. That son was
 at once declared Prince of Wales, and, if all went regular-
 ly on, he would become King of England on the death of
 his father. The news came from the Privy Council to Bos-
 ton, with directions for Andros "to appoint such days, as
 well for a solemn thanksgiving to Almighty God for this
 inestimable blessing, as for such other expressions of public
 rejoicings suitable to this great occasion," as he should judge
 fit. Nicholson sent "the happy news" by express to his
 chief at New York, where, the same evening, it "was sol-
 emnized with all demonstrations of joy and gladness for so
 great a blessing." The hilarity waxed so boisterous that the
 Dutch Mayor Van Cortlandt "sacrificed his hat, peruke, &c."
 This exuberant manifestation of loyalty was afterward ob-
 jected against the genial magistrate when the reminiscence
 was very inconvenient. The next day, Andros, with the ad-
 vice of his Council, issued his proclamation for a general
 thanksgiving, "to be observed within the City of New York

10 June.
 Birth of the
 Prince of
 Wales.

23 August.
 Rejoicings
 in New
 York.

24 August.

^{*} Chalmers's Ann., i., 590; Smith, i., 90; Council Min., vi., 17; Doc. Hist., ii., 14, 17; ibid., 73; Bayley's Sketch, 19-22; Mass. H. S. Coll., xxxv., 161, 180; MSS. letter of Solyns to Chalmers, 10 October, 1688; ante, 487.

and dependencies on Sunday the Second day of September next coming, and fourteen days after in all other parts of this Dominion." At this time New York was undoubtedly the "seat of Government" of James the Second's "Dominion of New England."^{1688.}

Indian affairs now required the governor's careful attention. The day he reached New York, he announced his arrival to Denonville, and claiming the Five Nations as British subjects, in obedience to his Instructions, requested that they should not be injured by the French. Word soon afterward came "that all was not well" with the Iroquois, and it was resolved that Andros should go to Albany. This he did, accompanied by Counselors Baxter, Mason, Van Cortlandt, and others, in a sloop, which also conveyed fifty soldiers and ammunition to supply the fort. At Albany he was joined by Nicholson, whom he had summoned from Boston, and who came overland by way of Springfield.^{11 Aug.}

The Five Nations, warned by "Arie," or Viele, sent delegates, who had a stately interview with Andros in the town-house of Albany. Sindacksegie, the Mohawk orator, in the name of the Five Nations, welcomed their "Brother Corlaer" as "the same person which did us the kindness to be called Corlaer when you was Governor formerly." The next day Andros named the Iroquois "Children," as Dongan had, and told them that they "need have no other regard to the French, nor hearken to them, than, as they are our friends, to do them no harm." But they should be on their guard, and call back those of their nations who had gone to settle near Montreal; and "'twill be your own faults if you do not eat, drink, and sleep in safety." Another conference followed, when the Mohawks, dropping the "Brother," said, "Corlaer, we are exceeding glad to see you here, who was formerly in Tionondoge, our third Castle; and are assured of your good inclinations towards us, because we have experienced your goodness heretofore. For you was pleased to accept the name of a man that was of good dis-^{13 Sept.}

^{19 Sept.}
Andros
calls the
Iroquois
"Children."

^{20 Sept.}

* Col. Doc., iii., 554, 555; Council Min., v., 222; Min. of N. Y. Com. Council, i., 330; Dunlap, ii., App. cxxvii.; N. Y. H. S. Coll., iii., 333 (1868), 399; Penn. Arch., i., 106; Col. Rec. Conn., iii., 443; Palfrey, iii., 561, 562; Kennett, iii., 484; ante, 263, 218, 315, 501.

† Col. Doc., iii., 548, 553, 554, 555, 556, 562, 563, 569, 722; ix., 394; Quebec MSS. (ii.), v., 592. Andros's letter of 11 August was carried to Canada by John Smith, "the quaker from Albany." Col. Doc., iii., 566; Force's Tracts, iv., No. 2, p. 59; Andros Tracts, i., 146; La Hontan, i. 125; Charlevoix, i., 336.

CHAP. X.

1688.

The old
Corlaer.Salmon
River.Ticondero-
ga.The Mo-
hawks wish
to remain
"Breth-
ren."The West-
ern Iro-
quois ac-
cept the
name of
"Child-
ren."Andros's
answer.

21 Sept.

12th Sept.

positions and esteemed deare amongst us, to wit, *The old Corlaer*." They promised to have no correspondence with the French, but would treat them as friepds, as Andros had proposed. Dongan had asked them about places for forts, and they had named Salmon River, or the Oswego, and they understood that he would build a fort "at the end of Corlaer's Lake [Champlain] at a place called Onjadarakté, [Ticonderoga] and put great guns in the same." But they did not insist on this being done. "Let the old covenant that was made with our ancestors be kept firm. Then we were called Brethren, and that was also well kept; therefore let that of Brethren continue, without any alteration." Some of the Iroquois warriors, "whose names are known like the Sun," had not yet been sent back from France; nevertheless, "we keep to that which was done by the two great Kings beyond the Seas." But a Cayuga, speaking for that nation and the Oneidas, Onondagas, and Senecas, addressed Andros as "Father Corlaer," and accepted "the name of Children." Only they desired the return of their twenty-eight countrymen, prisoners in France. "The Governor of Canada," they said, "is pleasant with his eye, and speaks fair with his lips; but his heart is corrupt, and we find that the old covenant made with this government has been kept inviolated." Andros answered these several speeches adroitly:—"You take notice of the word Brethren, and Children;—But leave it to me:—They are both words of relation and friendship; but Children the nearer." On the following day, the conference with the Five Nations was ended by Andros promising them to do all he could to get back their "people that were carried beyond sea." He also wrote to Denonville, charging him with being the author of the late murders by the Canadian savages near Springfield and Northfield, and hoping that the French had evacuated Niagara. This last mentioned step, as has been seen, had already been taken, chiefly at Dongan's solicitation.*

* La Hontan, i., 125; Charlevoix, ii., 380; Col. Doc., iii., 443, 475, 485, 535, 557-562, 568, 775; ix., 392, 393, 402; Col. MSS., xxv., 172-181; Colden, i., 165, 166, 182; Quebec MSS. (ii.), v., 507; Chalmers's Ann., i., 428; Col. Rec. Conn., iii., 448, 449; ante, vol. i., 18, 42, 66, 67, 88, 422; vol. ii., 287, 483, 495, 509. Some of the Massachusetts Puritans objected against Andros in 1691 that he did not keep the Iroquois in hostility to the French, because "it was very advantageous to the English interest to have it so;" and they charged that the peace which he made those savages promise at Albany strengthened the French and weakened the English: Rev. in N. E. Justified, in Force's Tracts, iv., No. 9, 40, 41; Andros Tracts, i., 118; ii., 297, 218; Col. Doc., iii., 650, 651.

Leaving Baxter in command of Fort Albany, with Thomas Sharpe as his lieutenant, and a company of soldiers, Andros returned to New York. On his way down the Hudson he had an interview with the Esopus and other savages, whom he admonished to be at peace with the neighboring Christians. At Kingston, Colonel Robert Mason, of New Hampshire, one of the Council who had accompanied Andros, died, and was buried, in his fifty-ninth year.*

Denonville had meanwhile waited in vain at Montreal until after the August moon had waned for the promised return of the Iroquois delegates. These had been chosen at Onondaga, and were about setting out, when Vicle summoned the Five Nations to meet Andros at Albany. This they did, as has been seen. But Dekanesora, or Teganisoren, the Onondaga chief, who seemed to have succeeded Garakontic as the most unwavering Iroquois friend of the French, went on with a small party to meet Denonville, according to promise, at Montreal. When they reached La Famine, or Salmon River, on Lake Ontario, they were surprised and captured by a band of Hurons, led by their chief Adario, or Kondiaronk, whom the French called "The Rat." He was the bravest, most subtle, and most accomplished savage they had ever known in Canada, and well deserved to be called "The Machiavel of the Forests." He had come down from Michilimackinac to join the French in their war against the Iroquois, upon condition that these common enemies should be exterminated. At Fort Frontenac Adario learned that Denonville had just made a peace with them, and was awaiting at Montreal the return of their ratifying deputies. Seeing that his own nation had been betrayed, the wily Huron concealed his chagrin, and pretended to return home. But from Cataracouy he quietly went across Lake Ontario to La Famine, by which route he knew that the Onondagas must go to Montreal. After lying in wait for several days, the Rat captured the astonished Iroquois ambassadors, and told them that he had done so by order of Denonville. The artifice was worthy of the most refined European policy in wickedness. Both parties protested against the supposed double treachery of Onon-

CHAP. X.

1688.

Dekanesora on his way to Montreal.

The Rat.

The Iroquois delegates captured by Adario.

* Col. Doc., III., 563, 593, 610; iv., 202; Doc. Hist., II., 57, 244; Hutch., I., 265; Belknap, I., 191.

CHAP. X. 116. Addressing Dekanesora and his companions, Adario
 1668. said, "Go, my brethren; I untie your hands, and send you
 home again, although our nation is at war with yours. It
 is the French governor who has made me commit an act
 so black that I shall never be consoled until the Five Na-
 tions have taken a just vengeance." The false Huron's
 words were uttered on the very spot where the Onondaga
 Grande-gueule had humbled De la Barre four years before.
 Like his then, they served their turn now. Each savage
 party returned to its own home; and, full of anxiety at the
 mysterious absence of the delegates he had chafed for so
 vainly, Denonville went down the chilly Saint Lawrence to
 Quebec.*

Denonville
 baffled.

1^o Oct.

1^o Oct.
 2^o

From Quebec the Canadian governor wrote to Andros,
 in reply to his letters from New York and Albany, alluding
 spitefully to Dongan; announcing the withdrawal of the
 French garrison at Niagara, and complaining of the recent
 violence offered by the English to Castin at Penobscot, for
 which satisfaction was required. But the birth of the
 Prince of Wales had been the signal for rejoicing through-
 out "the whole country of Canada." In his dispatches to
 Seignelay, Denonville attributed the safety of New France
 "to God alone." He therefore sent Callières to France,
 that he might explain matters more fully. A treaty should
 be made between England and France, by which the Iro-
 quois should be "ceded" to one or the other European pow-
 er. "But," Denonville added, "in order to make peace, it
 will be necessary to return to Canada the Iroquois who
 have been sent to the galleys;" and proposed that they
 should "be dressed somewhat decently."[†]

10 August.

Callières
 sent to
 France.

Indian
 troubles.

On his return from Albany and Kingston, Andros learn-
 ed that the savages in Maine had been disorderly near Cas-
 co Bay, and that men had been raised in Boston and sent

* Col. Doc., ix., 178, 181, 183, 189, 192, 227, 391, 393, 394, 402, 404, 465; La Hontan, i., 117, 125, 189-192; Charlevoix, ii., 383-386; Colden, i., 88, 89, 90; Smith, i., 87, 88; Raynal, viii., 81, 82; Garneau, i., 269, 270; Shea's Mission, 326, 332; *ante*, 361, 593. La Hontan—when Colden follows and Smith repeats, instead of trusting the more accurate Charlevoix—errs in placing the scene of Adario's exploit on the cascades of the Saint Lawrence instead of at the mouth of the Salmon River. Compare Col. Doc., ix., 391; Charlevoix, ii., 384.

† Col. Doc., iii., 555, 557, 569-571; ix., 393-398, 401; Quebec MSS. (B.), v., 511-560; Cham-
 bers's Ann., i., 428. Charlevoix, ii., 391, 392 (who is followed by Garneau, i., 271), supposes
 that Callières went to Paris with a scheme of his own for the conquest of New York by the
 French. But it seems to me that this idea did not occur to him until he reached France,
 and found that a revolution had happened in England. See Col. Doc., ix., 401-404.

thither without his orders. This intelligence obliged the governor to decide on an immediate overland journey to Boston, by way of Hartford and Springfield, "to prevent a second Indian war."^{*}

CHAP. X.

1688.

1 October.

Nicholson was accordingly directed to remain in New York, at the head of its affairs, to be assisted by the local counselors Phillipse, Bayard, Van Cortlandt, Younge, and Baxter, the latter of whom was stationed in command of the fort at Albany. As it was most convenient for the governor general to make Boston his head-quarters for the present, such of the New York records as were thought necessary to have at hand were taken there. Accompanied by Brockholls, Randolph, West, and others, Andros hastened eastward from New York, supposing that the revenue for the support of his government amounted to about twelve thousand pounds a year, and that "all places were well and quietly settled, and in good posture."[†]

9 October.
Andros re-
turns to
Boston
with New
York rec-
ords.

After the departure of Andros from New York, Dongan retired to his farm at Hempstead, on Long Island. Nicholson, with Van Cortlandt, Bayard, Flowman, Beckman, and Minvielle, under the governor's own warrant, made an examination of the city fortifications, and drew up a detailed report of their condition. The fort was found to be "extraordinarily out of repair," and carpenters were employed to make the barracks weather-tight until the spring, when every thing was intended to be put in good order. A deposition of one of these workmen, afterward taken, declared that there was "great joy" among some at New York when Andros came from Boston, because they were delivered from a "Papist Governor," and had Nicholson as deputy in the fort, "who would defend and establish the true religion." It was thought that all images erected by Dongan in Fort James would be taken away; but Nicholson order-

15 Novem.
Condition
of Fort
James at
New York.

^{*} Col. Doc., iii., 568, 569; Col. Rec. Conn., iii., 449; Force's Tracts, iv., No. 9, p. 35, 58; No. 10, p. 10; Palmer's Impartial Account, 33, 34; Chalmers, Ann., ii., 50; Andros Tracts, i., 54.

[†] Col. Doc., iii., 568, 569, 590, 655, 656, 711, 722, 723, 761, 769; v., 83; Col. Rec. Conn., iii., 449-452; Doc. Hist., ii., 3, 15, 23, 102, 128, 244; Chalmers's Ann., i., 427, 590; Palfrey, iii., 563, 564. In N. Y. Pass Book, iv., there is a memorandum of the records taken to Boston by Randolph, some of which do not appear to have been restored. In 1735, Judge Samuel Jones, of New York, saw at Boston, "on the floor in an upper room of a public building, among a parcel of loose papers, several parchment rolls, containing copies of acts of the Legislature of New York," supposed to have been taken away by order of Andros, who was "a great lover of method and dispatch in all sorts of business." N. Y. H. S. Coll., iii., 362; Bank, ii., 316; Hutch. Mass., i., 354; Coll., 575.

CHAP. X. ed the workmen to assist the priest John Smith to remove
 1688. to "a better room in the fort," and arrange every thing for
 Priest John him "according to his will." This gave great offense to
 Smith. the Protestants, and no doubt helped to injure Nicholson.
 During the winter the lieutenant governor directed Mayor
 Van Cortlandt to send orders to every county to exercise
 the militia and see them well equipped, which was gener-
 ally done. In the city of New York "he did the same,
 and was well beloved amongst the people."*

20 October. On returning to Boston after an absence of eleven
 Action of weeks, Andros, disapproving what his subordinates there
 Andros at had done, issued his proclamation requiring the Indians to
 Boston. release their captives, and surrender the murderers of the
 colonists. But this was not heeded by the savages; and the
 governor sent eastward most of the regular soldiers in gar-
 rison, with necessary stores and vessels to secure the coast.

1 Novem. It was also ordered in Council that a considerable force of
 militia should be raised out of the several colonies, and And-
 ros offered the command of the expedition, "upon very
 good terms," to Fitz John Winthrop, of Connecticut, one of
 his counselors. But Winthrop, pleading illness, declined the
 duty, and the governor's offer was repeated to others, who
 "absolutely refused the service." Indeed, the Connecticut
 and Massachusetts colonists did not wish to do hardy work
 in the wilds of Maine during the cold winter; and many of
 them, asserting that Brockholls was a "Popish command-
 er," imagined that the expedition was a plot "to bring them
 low," and made it a pretext for poltroonery. Seeing that
 none in New England were willing to take the command,
 Andros, by the advice of his Council, determined to do it
 himself. "The Governor's proposal to the Council about
 his going to the eastward met with no opposition, lest some
 of the military men there should have been bound in hon-
 our to have taken that employment upon themselves." Af-
 ter dispatching MacGregorie with another message to De-
 nonville at Quebec, Andros, at the head of some eight hun-
 dred men levied in the New England colonies,† according-

Winthrop
 and others
 decline
 service in
 Maine.
 Andros
 goes to
 Maine him-
 self as gen-
 eral.

* Col. Doc., iii., 590, 591, 592, 613, 655, 716; iv., 197, 213; Doc. Hist., ii., 14, 17, 147; iii., 73; Bayley's Sketch, 19, 22; Smith, i., 90; N. Y. Hist. Soc. Coll. (1868), 87, 88; Col. Rec. Conn., iii., 454, 455; N. Y. Surrogate's Rec., Wills, iv., 1-15; Valentine's Manual, 1855, 351-553; *ante*, 408, *note*, 487.

† According to the return in New England Papers, v., 262, quoted by Chalmers, Ann., ii., 58; N. Y. H. S. Coll., 1868, the militia force of Massachusetts, New Hampshire, Maine, Plym-

ly went to Maine, in the depth of winter, sharing all the hardships of the troops. Many of them died from fatigue and exposure in marches "above one hundred miles into the desert, beyond any Christian Settlement." But the attempt to capture the savages was like a project to "hedge in the cuckoo." Many canoes were destroyed, and two Indian forts were burnt. The savages were driven into remote retreats, where they were reduced to great straits, and "were ready to submit at mercy," had not "some mer-

Traitorous
Boston
merchants.

chants in Boston," during the governor's absence, sent a vessel, meanly cleared for Bermuda, with supplies of ammunition and provisions, to trade with them and the French between Fort Royal and Penobscot.

As he could not capture nor destroy its natives, Andros established some eleven garrisons for the protection of Maine. At Fort Charles, in Pemaquid, thirty-six regulars and sixty militia were placed under the command of Captain Brockholls and Lieutenant Weems. MacGregoric and Lockhart, of New York, were stationed at other forts. By presents and good treatment, the governor endeavored to win the chiefs of the savages. But all he did was miscon-

Garrisons
established
in Maine
by Andros.

strued at Boston, where it was reported that he had engaged the Mohawks to attack New England in concert with the French, with other equally absurd stories. During the winter he caused a sloop to be built at Pemaquid for government service; but before it was completed, unexpected events happened.*

Among James's instructions to Andros and to Dongan was one to suppress "all Pirates and Sea rovers." These depredators had become so bold that Sir Robert Holmes was sent with an English squadron to the West Indies, in the autumn of 1687, to quench them effectually. From the time of Cicero, all civilized nations had denounced pirates as "enemies of the human race." In 1630, these outlaws took possession of the island of Tortuga, near Hispaniola; and many of them having been originally engaged in the

enth, Rhode Island, and Connecticut was 13,522. That of New York was probably 2000. Col. Doc., iv., 29, 155, 197, 213; Chalmers, Rev. Col., i., 213; Arnold, i., 529.

* Col. Rec. Conn., iii., 449-453; Hutch., i., 363, 370, 371; Coll., 566; Col. Doc., iii., 551, 551, 711, 723, 724, 769; Chalmers's Annals, i., 428, 429; ii., 20, 50, 51; Force's Tracts, iv., No. 9, 23-21, 23, 58, 59; No. 10, 11; Palmer's Impartial Acc., 31, 35; Andros Tracts, i., 54, 55; ii., 123, 216; Mather's Mag., i., 173, 179; ii., 585; Maine H. S. Coll., i., 195, 196; v., 29, 268, 269, 271; Mass. H. S. Coll., xxi., 85-87; Williamson, i., 553, 559; Palfrey, iii., 567-569.

CHAP. X.
 1688.
 Buccaneers
 or pirates.

honest business of "boucaning," or smoking fish and meat, after the manner of the Carib savages, they and their political comrades were generally known in Europe as "Buccaneers." By the Hollanders they were named "Zee Roovers;" by the French and Spaniards, "Flibustiers"—which word modern usage has corrupted into "Filibusters"—while the English generally called them "Adventurers" and "Free-booters." The sack of Panama by the Welsh Henry Morgan, in 1671, gave the command of the Pacific to the buccaneers, who enriched themselves with the spoils of captured Spanish towns and galleons. Charles the Second had vainly attempted to repress the outrages of these bold scoundrels. Unlawful private expeditions were continually fitted out in the British American plantations, where many buccaneers found refuge and encouragement. The Carolinas, Virginia, New York, Rhode Island, and Massachusetts all share the odium of the scandalous renown; and the peremptory commands of James were not issued too soon.*

In obedience to these orders, Nicholson imprisoned at Boston several supposed pirates in the summer of 1688. They had been commanded by "one Petersen;" and they remained in the common jail of Boston until the next spring, when they were liberated by another authority. The efforts of Andros and his officers to suppress piracy met with little sympathy among the chief men of Massachusetts. "Since the vacating their charter," wrote Randolph from Boston, "they have been kept from the breach of the Acts for Trade and Navigation, encouraged by their former government;" and "they are restrained from setting out privateers who, for many years together, robbed the Spanish West Indies and brought great booties to Boston; and also, they durst not, during the Governor's time, harbour pirates. This place was the common receptacle of pirates of all nations." Palmer also—in answer to complaints that Andros had taken measures to "damp and spoil" the commerce of Massachusetts—declared that "their constant and profitable correspondence with Foreigners and

31 August.
 Pirates imprisoned by
 Nicholson
 at Boston.

* Col. Dec., iii., 374, 490, 491, 547, 552; ix., 120, 733; Chalmers's Annals, i., 546, 547; C. in Verr., v.; Coke's Institutes, iii., 115; Hunt's Merchant's Magazine, xiv., 59, 41; Valentine's Manual, 1857, 455-461.

Pirates" had been "diligently obstructed" by the governor, CHAP. X.
 "which was very disagreeable to many persons who had
 even grown old in that way of trade." The chief attrac- 1688.
 tion of the freebooters to Boston seems to have been the
 colonial mint, established in 1652, of which Samuel Sewall
 had been the last master. This "encouraged pirates to
 bring their plate hither, because it could be coined and con- The old
Boston
mint coins
piratical
plate.
 veyed in great parcells, undiscovered to be such." If the
 abrogation of the Massachusetts charter had so fatally af-
 fected these illicit commercial interests, it had still more
 gravely concerned the ministers of Puritanism and their Restora-
tion of re-
ligious oli-
garchy de-
sired by
some in
Massachu-
setts.
 sectarian flocks; and it is not surprising that all these com-
 bined interests should have earnestly worked together to
 obtain the restoration of an oligarchy under which they
 had enjoyed such valuable privileges.*

The charter which Charles the First had granted to Mas-
 sachusetts in 1629 had made a corporation "which knew no
 representative body." Almost its first act was to form a
 religious aristocracy. By its laws of 1631 and 1664, no
 person could be a "freeman" of the Massachusetts corpora-
 tion unless he was a Puritan Church member, or was cer-
 tified to be "orthodox in religion" by a Puritan minister.
 Most of the inhabitants of Massachusetts in 1684, when its
 charter was canceled, were not Puritanical communicants;
 yet this popular majority was utterly disfranchised. Thus
 the Bay corporation was perverted into a mere sectarian
 oligarchy. The majority of her inhabitants were not rep-
 resented in her General Court; they could not act as mag-
 istrates; they were taxed without their consent and against
 their will; they were forced to pay rates to support Puri-
 tan ministers whose preaching they did not desire; they
 could not worship their Creator in any other way than that
 which the "freemen" of the corporation dictated; and they
 were thus the victims of a hideous spiritual despotism.
 Class-government can not be democracy. Before the Mas- Class-gov-
ernment
not democ-
racy.
 sachusetts charter was canceled the majority of inhabitants
 had no real political equality; and not until the abrogation
 of that charter did exclusive privilege give way to equal

* Col. Doc., iii., 552, 553, 571, 581, 582; ix., 129; Hatch, Mass., i., 177, 178; Coll., 573, 574;
 Val. Man., 1857, 461, 462; Chalmers's Annals, i., 421; Palmer's Impartial Account, 20;
 Mather's Magnalia, ii., 399; Barry, i., 341; Palfrey, ii., 403, 404; Andros Tracts, i., 41.

CHAP. X. rights, nor was any genuine democracy known in the beautiful colony.*

1688.

The Massachusetts "hedge" broken by Episcopal "wild beasts."

When the English crown resumed the power which had ruled Massachusetts indirectly by the perversion of a royal charter, it was natural that her Puritan preachers should have keenly felt their altered condition, and have bitterly vented their griefs. They could no longer control their flocks in choosing officers of the corporation, who would make laws to suit them. Their political supremacy was gone. There was now popular equality near Boston, where sectarian privilege had flourished of old. The cry soon went forth that "wild beasts of the field" had entered through the broken "hedge," and were ravaging that sheepfold of which Puritanism had so long enjoyed the exclusive pasture.

New England misrepresentations of Andros.

There was truth in this metaphor of Cotton Mather. Most composers of American history have denounced Andros, as Governor of New England, in terms of coarse invective. They generally describe him as a mere bigot, and minion, and tyrant, with hardly a redeeming trait. The chief authority for such representations are early New England writers, whose partisan statements have been reiterated without question, to the exclusion of almost every thing recorded by others. Whether James the Second's commission and instructions to his governor were more or less "arbitrary" or "illegal" than the canceled charter which Charles "the martyr" had granted to Massachusetts, was certainly not a question for Andros to answer. He was not to blame because James had directed New England to be governed without an Assembly, by himself and his counselors. Andros's duty was to execute his sovereign's commands; and this he did with characteristic energy—faithfully, fearlessly, and sometimes harshly. In doing this duty, he greatly offended the "perverse people" with whom he had to deal, and who had so long been accustomed to order every thing in their own way. So they thought it a great wrong that deponents should be required to touch

Andros's administration not liked in Massachusetts.

* Hitch. Mass., i., 25, 26, 231, 423; ii., 1-5; Coll., 1-23, 418, 484; Mass. Rec., i., 57; iv. (B), 117, 118; Chalmers's Annals, i., 153-154; Rev. Col., i., 41, 42; Col. Doc., iii., 57, 111, 5-7; Mather's Magnalia, i., 200; Story's Misc. Writ., 64, 65; Bancroft, i., 342-345, 360; ii., 75-83; iii., 74; Barry, i., 155-162, 232; Hist. Mag., Jan., 1867, p. 6; Boston Transcript, 21 Feb., 1867; Palfrey, i., 270, 291, 315-318, 353, 375-378, 388, 422-434; ii., 557, 610; iii., 330-331; ante, vol. I., 189, 208.

the Bible instead of holding up their hands; a grievance that Quakers should be allowed "freedom to worship God" in their own fashion, and be excused from paying forced rates to support Puritan clergymen; an offense that the Episcopal Church service should be celebrated in Boston by Rector Samuel Myles. They liked their own censorship of the press, but they did not like that press to be muzzled by an agent of their royal governor. It was especially galling that West, and Farewell, and Graham, and Palmer, the chief subordinates and "confidants" of Andros, had come from New York. Many of the acts of these experienced officials were selfish and oppressive. Land titles were questioned, perhaps that fees might be exacted for new patents. Other official charges were avariciously increased. The judges administered the law strictly; and they were stupidly blamed for not allowing writs of habeas corpus under the English statute of 1679, which did not extend to the British colonies. For every thing done by each of his subordinates, the governor was held responsible. Most of his own acts were able and statesmanlike, while some of them were arbitrary and provoking. The real fault of Andros was that he administered his government too loyally to his sovereign, and too much like a brave soldier. What is called loyalty often depends on fashion or accident. Instead of conciliating, Andros wounded; and James, seeing the injury his viceroy was doing him in New England, was obliged to rebuke his excessive zeal.*

The New York confidants of the governor.

The king's declaration for liberty of conscience of April, 1687, which had been proclaimed at Boston and in New York the following November, was at first received with joy by the most sanguine of his New England subjects. Puritans thought it a deliverance from English prelacy; Quakers and Anabaptists felt that they could at last share in the liberty which Congregationalists had monopolized; and the small band of Episcopalians gathered in Boston re-

Liberty of conscience in Massachusetts.

* Force's Tracts, iv., No. 9, No. 10; Mather's Magnalia, I., 175-178; Historical Magazine, vi., 10, 11, 13; I. (ii.), 7; Holmes's Annals, I., 403, 420, 421; Chalmers's Annals, I., 74, 142, 421-429, 464-468; Rev. Col., I., 179-185; Palmer's Impartial Account, 13, 21, 25; Col. Doc., iii., 357, 582, 722; Hutch. Mass., I., 353-363; Col., 555, 657; Bancroft, ii., 425-432; Grahame, I., 357-387; Parry, I., 486-498; Arnold, I., 488, 499, 501, 514-517; Palfrey, iii., 518-555; R. I. Rec., iii., 199, 223; Anderson's Col. Church, ii., 456; Mass. H. S. Coll., xxv., 149; ante, 338, 511. The first Episcopal service in Boston was in the South Meeting-house, on Good Friday, 1687. An Episcopal Church was soon afterward built, of which Samuel Myles became the rector: Palmer, 53; Andros Tracts, I., 53; Mass. H. S. Coll., xxviii., 192-193.

CHAP. X.

1688.

Puritan
hatred of
Episcopa-
cy.7 April.
Mather
goes to
London.Sir Wil-
liam
Phipps.

joined that they might now freely hear the beautiful liturgy of their denomination read by a surpliced clergyman. What in modern times has been called "Broad Church" seemed now to be established by James throughout British North America. But the Puritan clergymen of Massachusetts quickly caught an alarm. They were vexed because "a licentious people take the advantage of a liberty to withhold maintenance from them," and because Andros would not allow distresses to be levied for the compulsory taxes by which they had been comforted of old. Puritanism waxed wroth around Boston when it discovered that its own hatred of Protestant Episcopacy was surpassed by that of the Roman Catholic head of the Church of England; and the most discerning politicians of Massachusetts began to dread a royal toleration more than the enforcement of the suspended penal laws about religion—"the only wall against Popery." Addresses of thanks to James were nevertheless adopted by several congregations; but, at the same time, petitions were signed for relief from the imperious administration of Andros. These were intrusted to Increase Mather, the most eminent Puritan minister of Boston, who, escaping the vigilance of Randolph, by whom he had been sued for a libel, sailed for London, apparently hoping to obtain from the king a restoration of the canceled Massachusetts charter.*

But the determination of James to maintain the government he had established in New England could not be shaken. Personal favorites, successful in other points, were foiled in this. William Phipps, a native of Pemaquid, where he had spent his youth in honest toil, had won the king's special regard, in 1687, by his success in recovering a large treasure from a Spanish wreck near Hispaniola. The humble ship-carpenter of Maine was made an English knight; and his sovereign, who claimed half the riches taken from the sea, offered him an opportunity to ask what he pleased. Sir William prayed "that New England might have its lost privileges restored." But James replied, "Any thing but

* Rapin, ii. 758; Hutch. Mass., i. 75, 76, 357, 358, 366; Coll., 555, 564, 565; Chalmers's Annals, i. 170, 423, 424, 426, 464-468; Mather's Magnalia, i. 197; Col. Doc., iii. 573; Col. Rec. Conn., iii. 322, 323; Force's Tracts, iv. No. 10, p. 16; Mass. H. S. Coll., xxxv., 1564-1565; Palmer's Account, 32; Andros Tracts, ii. x., xi.; Bancroft, ii. 426-432; Barry, i. 428, 429; Balfour, iii. 469, 548-558; ante, 490, 491.

that." Phipps then, at a large expense for fees, obtained a royal patent making him high sheriff of New England, hoping that he might thereby be able to supply it with "consciencious juries." Thus appointed, Sir William came to Boston, by way of the West Indies, in the summer of 1688, some months after Mather had gone to England. But Andros, who was then "in the western parts" of the dominion, or in New York, having already commissioned James Sherlock to be sheriff of Massachusetts, "found a way wholly to put by the execution" of Phipps's costly patent from the king, and "a few weeks" afterward Sir William returned in his ship to London, with some merchandise obtained from the imprisoned pirates in the Boston jail, and "with some further designs then in his mind."*

CHAP. X.

1688.

August.

September.

In the mean time, Mather had been kindly received by James, to whom he presented the addresses of thanks he had brought from New England, and afterward submitted complaints of the "enslaved and perishing estate" of the inhabitants, by reason of the misgovernment of Andros. In concert with Nowell and Hutchinson, former magistrates of Massachusetts, Mather also presented memorials for liberty of conscience, and for favor to the college at Cambridge. But these spoke of the Episcopal Church in such "very indecent language" that they disgusted the king's ministers, and the agents having been summoned before the Plantation Committee, "they withdrew their petition and did not appear." Having gained the favor of Father Edward Petre, the king's Jesuit confessor and counselor, the agents then petitioned for a confirmation of estates in New England, "and that no laws might be made, or monies raised, without an Assembly; with sundry other particulars." James referred this petition to his Plantation Committee, who directed Sir Thomas Powis, the attorney general, to make them a report. But in the copy of the petition sent to Powis, "the essential proposal of an Assembly was wholly left out" by Lord President Sunderland, who told "Mr. Brent, of the Temple," the solicitor of the

30 May.
Mather re-
ceived
kindly by
James.
1 June.

19 June.

10 August.

Sunder-
land.

* Mather's Magnalia, i, 167-176, 178; Douglas, i, 479; Kennett, iii, 479; Hutch. Mass., i, 296, 297; Coll., 558, 573, 574; Force's Tracts, iv., No. 9, p. 23; Col. Doc., iii, 491, 552, 582, 729; Oldmixon, i, 129-132, 134, 138; Evelyn, ii, 278; Ellis's Corr., i, 295-297, 325; ii, 39; Palfrey, iii, 390, 390, 391; *note*, 524. Mr. Palfrey errs in supposing that Mather found Phipps in London when he reached there. In the summer of 1685 Phipps was in Boston, after a second visit to the Spanish wreck in the West Indies.

CHAP. X. petitioners, "that it was by his advice that the King had
 1688. given a commission to Sir Edmund Andros to raise mon-
 eys without an Assembly, and that he knew the king would
 never consent to an alteration, nor would he propose it to
 his Majesty." Powis, however, was "dexterously gained,"
 and by the assistance of Brent, a report was obtained from
 him that the charter of Massachusetts had been "illegally
 vacated." A copy of Powis's opinion was dispatched to
 Boston, where it was used to excite hopes of a new char-
 ter "with larger power." Hinckley, of New Plymouth, had
 also asked relief for that colony through Richard Wharton,
 one of the royal counselors then in London. During the
 summer, in spite of the declared opinion of the king, the
 Massachusetts agents still hoped to be allowed an Assembly
 elected by the inhabitants, without which their condition
 was "little inferior to absolute slavery," and the mere
 change of the governor would not "ease any thing." See-
 ing at length that they could not obtain their desire, they
 asked the Plantation Committee to report "that until his
 Majesty shall be graciously pleased to grant an Assembly,
 the Council should consist of such persons as shall be con-
 siderable proprietors of lands within his Majesty's domin-
 ions; and that, the counties being continued as at present,
 each county may have one at least, of such of the inhabit-
 ants of the same, to be members thereof; and that no
 acts may pass for law but such as have or shall be voted
 by the manifest consent of the major part of the Council."
 The agents of Massachusetts at last perceived that they
 could expect neither a restoration of its old charter nor a
 separate colonial government. Looking upon the "Domin-
 ion of New England" as permanently established, they now
 asked that each county should have a counselor *who must
 be a large landowner*, and that no laws should be passed
 without the consent of a majority of these counselors. This
 detestable proposition, if accepted by the king, would have
 placed English colonial government in the hands of a local
 aristocracy of landowners. Yet such was the deliberate
 supplication of Massachusetts to James the Second.*

The Massa-
 chusetts
 agents ask
 King
 James to
 establish a
 landed ar-
 istocracy
 in their
 colony.

* Narcissus Luttrell, l. 443; Narrative of the Miseries, etc., 32, 33; Andros Tracts, II., xl.
 xxv., 3-14, 206; Madler's Magnalia, l., 197; Parentator, 109, 110; Mass. H. S. Collections,
 xxxv., 169-189; Hutchinson's Massachusetts, l., 362, 366-369; Coll., 565, 571; Chalmers's
 Ann., l., 424-427, 466-467; Rev. Col., l., 173, 185; Colonial Documents, iii., 518; Historical

Whether James would have adopted the policy thus solicited is a problem. Extraordinary events were culminating in England which postponed definite action in colonial affairs. Yet William Penn retained the favor of his sovereign, who made him "Supervisor of Excise and hearth-money," and promised to enlarge Pennsylvania by "a grant under the Great Seal for the three counties on the Delaware." If this promise had been executed, there would have been one less North American State, and New York would now have had a rival sister, no less powerful in commerce than in agriculture. Yet, while James especially favored Penn, he promised Mather a "speedy redress" of many grievances in New England; and that, in the mean time, Andros "should be written unto, to forbear the measures that he was upon." No "such thing," however, was done. Without consulting his ministers, the king nevertheless declared in writing that he would grant his subjects there "a full and free liberty of conscience and exercise of religion, and their several properties and possessions of houses and lands, according to their ancient records; and also their college of Cambridge, to be governed by a President and Fellows, as formerly. All to be confirmed to them under the great seal of England."^{*}

CHAP. X.

1688.

17 Septem.
Penn favored by James.

26 Septem.

16 October.
James's promises.

But none of these promises were performed by James. While he was making them, as he afterward informed Pope Innocent the Eleventh, "it was his full purpose to have set up [the] Roman Catholic Religion in the English Plantations of America." This idea seems to have been meditated as early as 1671, when it was suggested to Charles the Second that Irish Roman Catholics "may transport themselves into America, possibly near New England, to check the growing Independents of that country."[†]

James's
real design.

A revolution in England prevented any attempt to execute such a design. The rash bigotry of James precipitated the event which observing men had foreseen. It alarmed the penetrating judgment of the Vatican. "We

Magazine, vi., 13; Force's Tracts, iv., No. 9, p. 10; London Gazette, 19 June, 1688; Palfrey, iii., 564-566.

^{*} Narcissus Luttrell, i., 461; Ellis Cor., ii., 211; Chalmers's Ann., i., 427, 468; Parentalor, 114, 115; Rev. Col., i., 299; Dixon, 325; Historical Mag., vi., 13; i. (il.), 8, 9; Force's Tracts, iv., No. 9, p. 10; Palmer, 32; Andros Tracts, i., 52; ii., xvi., xvi., 274; ante, 366.

[†] King's "State of the Protestants of Ireland," 292; Mather's Magnalia, i., 179; Parentalor, 116; ante, 184, 185.

CHAP. X. must," said the thoughtful cardinals of Innocent, "excommunicate this king, who will destroy the little of Catholicism which remains in England." But before Rome could apply her "brake," the English king had accomplished his fate. A few days after James commissioned Andros to be the governor general of his enlarged "Dominion of New England," he issued a second declaration for liberty of conscience, in which he renewed his abrogation of all test-oaths and laws against dissenters, and announced that none should serve him but such as would aid him in his own designs. To give this unconstitutional declaration greater effect, James ordered it to be read in every church in his kingdom. But Archbishop Sancroft, of Canterbury, and six other bishops, in a petition, refused to obey the king's command. This petition James pronounced to be "a seditious libel," and the seven prelates were committed to the Tower, and arraigned before the Court of King's Bench. Eminent counsel, among whom was John Somers, defended the prisoners, whom, after full trial, the jury acquitted. The verdict was joyfully received by most Englishmen as a fatal blow to the arrogated prerogative of their sovereign. The only consolation which James had now left him was the hope that the son whom his Italian queen had meanwhile produced would succeed him as a Roman Catholic king of England, to the exclusion of both his Protestant daughters by Anne Hyde.

27 April.
James's
second dec-
laration for
liberty of
conscience.

4 May.

13 May.

8 June.

29 June.
30 June.
Trial of the
bishops.
Their ac-
quittal.

10 June.
Birth of
the Prince
of Wales.

30 June.
The Prince
of Orange
invited to
England.

But no Prince of Wales was to succeed James the Second on the English throne. God's field in Britain had now been harrowed enough. The crisis had come. English Protestants—Episcopal and dissenting—were aroused. Oxford Tories now adopted the Whig doctrine of resistance. Even the insular antipathies of Englishmen were subdued. Feeling that their sovereign should be a Protestant, many who had never before looked for good from Holland saw that their only "Deliverer" could be the husband of their Princess Mary, the Stadtholder of the Dutch Republic, the Calvinistic William of Orange. The very day that the bishops were acquitted, a secret invitation was sent to the Dutch prince, imploring him to come over to England, where he was assured multitudes would hasten to his standard.

If no Prince of Wales had been born, the Princess Mary of England and of Orange would, of course, as heiress, have succeeded to the British throne on the death or the abdication of her father. But the event which gave so much joy to James compelled William to become a party to measures which involved a fundamental change in the British Constitution. By that Constitution Mary of Orange could not take the crown of England as its presumptive heiress as long as her new-born half-brother lived. While a rebellion might drive her father from his throne, nothing but a revolution could prevent the succession of his son. But such a revolution could only be the work of Englishmen. The Dutch Stadtholder's position was embarrassing. Yet his capacity and prudence surmounted complicated difficulties. Quietly, but skillfully, he organized in Holland a military and naval expedition. For a time, both Louis and James were ignorant of its object. A declaration explaining William's purposes in going over to England was at length printed at the Hague, and published in London. The prince then took leave of the States General, and embarked at Helvoetsluys. Cornelis Evertsen, of Zeeland, who had led an avenging Dutch fleet up to Manhattan in 1673, now assisted in conveying the Prince of Orange to England. William's expedition landed at Torbay on the day after his own birthday, and on the eighty-third anniversary of the "Gunpowder Plot" of Guy Fawkes in 1605. "JE MAINTIENDRAI"—*I will maintain*—was the ancient legend of the house of Nassau. As William stepped on shore in Devonshire, his banner displayed his own Batavian arms, quartered with those of his English wife, and his unambiguous motto now read, "I WILL MAINTAIN THE PROTESTANT RELIGION AND THE LIBERTIES OF ENGLAND."*

CHAP. X.

1688.

William's
policy.1st Oct.

Evertsen.

5 Nov.

William
lands at
Torbay.

5 Nov.

His motto.

The reception which William met at first in England was cooler than had been promised him. Indeed, if James had acted with judgment, he might even now have saved his crown and prevented the coming revolution. When,

* Lavallée, iii., 272-276; Kennett, iii., 470-495; Barnet, i., 736-758; Clarke's James II., ii., 151-214; Parl. Hist., v., 1-15; Echard's Revolution, 158; Dalrymple, ii., 189; Rapin, ii., 762-776; Mackintosh, 292-308; Macaulay, ii., 340-472; Sylvius, xxvi., 44, 45, 141-147, 165, 166; Wagenaar, xv., 204-479; Davies, iii., 190-212; Campbell's Chancellors, i., 354; iii., 539-556; Hargrave's State Trials, iv., 302-325; ante, 245, 297, 46, 516.

CHAS. X. at length, the daft king was convinced of his danger, he issued his proclamation "that a great and sudden invasion from Holland with an armed force of foreigners and strangers" would speedily be made upon his kingdom, and warned his subjects to be prepared to defend their country. To conciliate them, he took off the suspension of
 1688. 28 Sept. James's proclama-
 tion.
 2 October. Bishop Compton, restored the charter of the city of Lon-
 17 Oct. don, and gave back the franchises of all English corporations which had been forfeited. As a farther precaution, he wrote to Andros and his other colonial governors, warn-
 16 Oct. ing them "to take care that upon the approach of any fleet
 The king's letters to the Amer-
 ican colo-
 nies.
 in such readiness as to hinder any landing or invasion that may be intended to be made within the same."*

A few days after the dispatch of this last colonial in-
 struction of James, he removed Sunderland, the wily min-
 ister who countersigned it, for treasonable correspondence
 with the enemy. But these time-serving measures of James
 were accompanied by so many acts which proved his big-
 otry that his subjects would trust him no longer. And so
 the last male Stuart British sovereign became his own de-
 stroyer. Englishmen of rank and influence now hastened
 to the Prince of Orange, who was attended from Holland by
 the historians Gilbert Burnet and Rapin de Thoyras, and by
 John Balfour of Burley, and "other Oliverians." Richard,
 Lord Coote, afterward Earl of Bellomont, was already one
 of William's household. John, Lord Lovelace of Hurley,
 the nephew of the former Governor of New York—in the
 vaults under whose old mansion of Lady Place many mach-
 inations of the revolution had been arranged—rose in arms
 for the Dutch prince. Edward, Lord Cornbury, the king's
 own blood nephew, with Philip, Lord Wharton, and his tur-
 bulent son Thomas, who wrote "Lillibullero," the venal
 Churchill, and the cruel Protestant Kirke, and others, went
 25 Novem. to the invader at Exeter. A few days afterward, Prince

English-
 men flock
 to Wil-
 liam.

Coote,
 Lovelace,
 Wharton,
 Cornbury,
 Kirke,
 George of
 Denmark.

* Kennett, iii., 480-492, 496; Rapin, ii., 772; Sylvius, xxvi., 154; Clarke's James II., ii., 185; Ellis Correspondence, ii., 218, 223-221; Virginia Entries, iv., 229; New England Papers, v., 34; N. Y. H. S. Coll. (1868), 20, 33, 34; Mass. H. S. Coll., xxxviii., 713; Force's Tracts, iv., No. 9, p. 10; Valentine's Manual, 1850, 452; Historical Magazine, x., 114, 599. The king's letter of 16 October, 1688, was sent to Andros by a vessel which reached Boston in the beginning of January, 1689, while the governor was in Maine. By the same conveyance Mather and the other New England agents warned their friends to prepare "for an interesting change." Chalmers's Annals, i., 469; ii., 29, 33, 34; Palfrey, iii., 571, note.

George of Denmark joined his brother-in-law; and the Princess Anne, escaping from Whitehall, abandoned her father, to follow her husband and William. CHAP. X.
1688.

James's cause was now desperate. He tried to negotiate with William, and meanwhile he secretly sent the queen and the Prince of Wales to France. As soon as he was assured of their safety, he arranged his own escape. The time had now come which Charles had predicted, and James prepared to go a second time "on his travels." His last orders were to disband the royal army. A little after midnight on the eleventh of December, he left his palace in disguise, threw his great seal into the Thames, and went down the river to follow his queen to France. Thus James abdicated his crown. Arrested in his flight, he returned to London and once more attempted to play monarch, while the Prince of Orange's Dutch soldiers were mounting guard at Whitehall. Again James left the splendid apartments he was never more to see, and fled unquestioned to France. A mimic British court was established at the airy and beautiful heights of Saint Germain, which Louis munificently assigned to his fugitive royal guest. But the reign of James the Second over England and her dependencies was ended.*

* Kennett, iii., 491-505; Clarke's James II., ii., 215-283; Burnet, i., 684, 765, 789-804; Rapin, ii., 772-783; Echard, 161-193; Ellis's Correspondence, ii., 288-376; Dalrymple, ii., 172; Col. Doc., iv., 851; Narcissus Luttrell, i., 435, 461; Sylvius, xxvi., 154-190; Macaulay, ii., 428-538, 597-599; Knight, iv., 431; Martin's Louis XIV., ii., 85-87; *ante*, 142, 429, 435, 449.

CHAPTER XI.

1688-1689.

CHAP. XI.

1688.

At the English Christmas of sixteen hundred and eighty-eight there was no king nor regent in England. James the Second had fled from Whitehall to France, pitched his great seal into the river, disbanded his army, and left no force in his realm to oppose the advancing battalions of the Dutch Prince Stadtholder.

11 Decem.

William in
London.
18 Decem.

Sensible Englishmen considered such poltroonery of their anointed sovereign an abdication of his crown. And so it was. With James and his "essential" great seal had vanished the machinery by which Englishmen allowed themselves to be governed. Prompt action was necessary to prevent anarchy in the deserted kingdom. In this crisis, the Archbishops of Canterbury and York, with other British peers, met at the London Guildhall, assumed provisional direction of English affairs, and declared for the Prince of Orange. William soon afterward came from Windsor to Saint James's, where a great multitude of Protestant Englishmen, wearing Orange ribands—"the emblem of civil and religious freedom"—assembled to welcome their Dutch "Deliverer."*

23 Decem.

26 Decem.

Some of William's advisers now urged him to seize the English crown, as Henry the Seventh had done, by right of conquest. But this William refused to do. He had come to England as her deliverer from evil: if Englishmen wished him to become their king, they must themselves invest him with the royal office, and place its diadem on his brow. The peers of the realm, the members of the House of Commons during the reign of Charles the Second, and the Corporation of the city of London were therefore summoned to meet the Dutch Stadtholder at Saint James's. They assembled accordingly, and requested William to take

* Ellis Correspondence, ii, 246-269; Kennett, iii., 500-504; Macaulay, 550, 549-581.

on himself the provisional government of England, and invite the Protestant peers, and the several constituencies of the kingdom, by their representatives, to assemble in a Convention at Westminster. In obedience to this request, the third William of Orange assumed the direction of English affairs. Having received the communion according to the Episcopal ritual of England, as his "first act" of administration the Dutch prince published a declaration authorizing all civil officers in the kingdom, "not being Papists," to act in their several places until further orders.*

CHAP. XI.

1688.

William at
the head of
England.
29 Decem.

31 Decem.

The prince's attention was soon called to the English North American colonies, "for the happy state of which he professed a particular care." Mather was promptly introduced to him by the Cromwellian Philip Lord Wharton, and he was fully informed of the warning letter which King James had dispatched to his American governors the previous October. William thought it proper to communicate to them at once his own directions. Accordingly, he wrote an adroit circular letter to the various colonial governors, directing that all persons, "not being Papists," who lawfully held any offices in the several English plantations, should continue to execute their duties as formerly, and that "all orders and directions lately made or given by any legal authority shall be obeyed and performed by all persons," until further commands from England. This letter, countersigned by the prince's secretary, William Jephson, a cousin of Wharton, was dispatched to Virginia, and it was directed to be sent to New England and the other colonies. But the Massachusetts agents in London saw that if it should be received by Andros it would be "fatal to their schemes," by reducing their constituents to the dilemma of submission to his authority under the direction of the prince, or of rebellion. Accordingly, Mather, with Phipps, who had just returned from New England, made such effectual "application" to Jephson that William's letter to Andros "was stopped, and ordered not to be sent." From this Massachusetts "trick" with the prince's secretary sprang much future embarrassment.†

9 January.
William's
first colonial
acts.

12 Jan.

The
prince's
circular
letternot sent
to Boston.

* Ellis Correspondence, II, 370-376; Kennett, III, 593, 596, 597; Rapin, II, 732, 733, 734; Macaulay, II, 5-1, 593.

† Macaulay, II, 589; Virginia Entries (S. P. O.), iv, 533; New England Entries, III, 43; Chalmers's Annals, II, 12, 21, 22, 25, 26, 29; Hutch. Mass., I, 377, note, 389; Mass. H. S.

CHAP. XI.

1689.

22 Jan.
Conven-
tion.
29 Jan.

7 Feb.

Somers and
charters.

12 Feb.

The Dec-
laration of
Right.Copied
from the
Dutch.

The Convention called by William declared that the throne was vacant by the abdication of James. It then considered how the vacancy should be filled. The Commons resolved that the "religion, laws, and liberties" of England should be first secured. Somers accordingly submitted a report, reciting the causes of the revolution, and contemplating, among other things, that the forfeited or surrendered charters of the Plantations should be restored. But the clause respecting the restoration of colonial charters was omitted from the Instrument adopted by the Convention. That famous state paper—chiefly the work of Somers—set forth the errors and crimes of James; reviewed his administration; asserted the rights of subjects and of Parliament; defined the authority of the sovereign, and then settled the English crown on William, Prince, and Mary, Princess of Orange, during their lives, and the life of the survivor of them, with the executive power in the prince; after them, on the posterity of Mary; then on the Princess Anne and her posterity; and then on the posterity of William. New oaths of allegiance and abjuration were ordained in place of the abrogated oaths of allegiance and supremacy. This instrument—the most important in English annals next to MAGNA CHARTA—is known as the "DECLARATION OF RIGHT."*

More than a hundred years before, in 1581, the States General of the United Provinces had declared their independence of Spain in a manifesto which, the more it has been studied, the more it has been admired for its bold assertion of the rights of the people, and its clear exposition

Coll., ix., 245; xxxviii., 258, 264, 765; Parentot, 118, 119; Mather's Magnalia, i., 176, 178; Palfrey, iii., 501, 503; ante, p. 534. It was about this time that Increase Mather drew up and published in London the "Narrative of the Miseries of New England," etc., which makes the tenth number in the "Sixth Collection of Papers," 1689. The first paragraph of the narrative informs the British public and William "that he that is Sovereign of New England may, by means thereof (when he pleaseth), be Emperor of America;" and the last paragraph expressed the "hope that England will send them speedy relief; especially considering that through the ill conduct of their present rulers, the French Indians are (as the last vessels from thence inform) beginning their cruel butcheries amongst the English in those parts; and many have fears that there is a design to deliver that country into the hands of the French king, except his Highness the Prince of Orange, whom a divine hand has raised up to deliver the oppressed, shall happily and speedily prevent it." This "Narrative," which doubtless influenced events affecting New England in the spring of 1689, is reprinted by the Prince Society in 1869: Andros Tracts, ii., xvii., xviii., 274.

* Commons' Journal, x., 17, 22, 23, 28; Parl. Hist., v., 23-113; Kennett, iii., 507-514; Bapin, ii., 784-791; Barnet, i., 791-826; Sylvius, xxviii., 19, 20; Chalmers's Rev. Col., i., 211; Macaulay, ii., 616-652; Campbell's Chancellors, iv., 94-97; Martin's Louis XIV., ii., 88, 89; Clarke's James II., ii., 255-307.

of the principles of political liberty. This venerable Batavian declaration must have been carefully studied by Somers—for an English translation of it is in the printed collection of his papers—and internal evidence demonstrates that it was the model of the later English manifesto. The first William of Orange, under their marvelous declaration of national rights, and by the spontaneous act of his countrymen, became the chief of the Dutch Republic. A century afterward, his great-grandson—called out of Holland by the voice of Protestant Englishmen—cordially affirmed the instrument of which his own fatherland had furnished the pattern; and WILLIAM AND MARY of Orange, accepting the offered diadem, were proclaimed KING AND QUEEN of England and of “all the dominions and territories thereunto belonging.”* CHAP. XI.
1689.

Thus was the English “Revolution” accomplished. The first act of the new sovereigns was a proclamation confirming all local officers, “being Protestants,” in the places which they respectively held within the kingdom of England, on the 1st of December, 1688. This did not affect the English colonies. The same day William chose a new Privy Council, which was wholly composed of English “Whigs.” Two days afterward, the king named a Committee of the Council “for Trade and Foreign Plantations.” This committee was: the Earl of Danby, Lord President; the Marquis of Halifax, Lord Privy Seal; the Earl of Devonshire, Lord Steward; the Earls of Shrewsbury and of Nottingham, Secretaries of State; the Earl of Bath, Viscounts Fauconberg and Mordant, Bishop Henry Compton, of London, Sir Henry Capel, Mr. Henry Powle, and Mr. Edward Russell, “or any three of them.” The committee was directed to meet on the next Monday, the 18th of February, and “prepare the drafts of Proclamations for Proclaiming their Majesties in the several Plantations, and also for continuing all persons in their employments and offices till further order.” Proclamations were accordingly prepared, and letters forwarding them to the several colonial governors were signed by enough privy 13 Feb.
William and Mary king and queen.
14 Feb.
All Protestants confirmed in offices in England.
16 Feb.
William's Plantation Committee.

* Lord Somers's Tracts, xiv., 417-424 (Sir Walter Scott, ed. i., 323); Kennett, iii., 514; Rayn., ii., 765; Tindal, iii., 30, 31, 99; Clarke's James II., 397, 398, 399; Sylvius, xxvii., 27; Macaulay, ii., 654, 655; *ante*, vol. i., 449, 761.

1689. William's first royal orders to the English colonies.
 counselors. These letters signified to those governors their majesties pleasure "that all men being in offices of Government shall so continue until their Majesties further pleasure be known," and that the new oaths of allegiance and abjuration should be taken by each of them. The difference between the original proclamation of William and Mary continuing in their places the local officers in England and that sent to the Plantations, is significantly clear. In England only "Protestants" were to be kept in office. But in the Plantations, "all men being in offices of Government" were to remain undisturbed.*

How the English revolution affected the colonies.

The revolution in England was thus held by her statesmen as in no way affecting her colonies otherwise than in transferring, without their consent, their allegiance from one English sovereign to another, by the act of an irregular English Convention. It was certain that the Protestant religion could not be jeopardized in the English colonies as it had been in the mother country. The Test Act of 1673 had never been in force in those colonies, where Brookholls, and Dongan, and other avowed Roman Catholics had acted under undeniably legal commissions. The Prince of Orange's Convention of January, 1689, therefore, did not extend that Test Act to the English colonies. It merely required "all persons" in office to take its own ordained oaths of allegiance to William and Mary, and of abjuration of the Pope's "authority, ecclesiastical or spiritual, within this Realm" of England.†

23 Feb.

This convention, however, was transformed into an English Parliament, which went on to make laws as if it had unimpeachable authority. The House of Commons tried to repair the significant omission in the Declaration of Right by resolving that the forfeiting of the charters of the Plantations was "illegal and a grievance." A bill was accordingly brought in to restore all corporations, at home and in New England, to the condition they were at the Restoration of King Charles the Second in 1660. This crude measure passed the House of Commons through the active

5 March.

16 March.
 English Corporation Bill.

* Kennett, iii., 514, 515; Tindal, iii., 38-41; Sylvius, xxvii., 29, 31; Smollett, i., 4; Parl. Hist., v., 113; Macaulay, iii., 1-27; N. Y. Col. Doc., iii., 572, 596, 641; Board Journals, vi., 125; Virginia Entries, iv., 236; Chalmers's Annals, i., 573, 431, 469; ii., 12, 22, 37, 38; Rev. Col., i., 201; Penn. Col. Rec., i., 341; Appendix, Note G., p. 602, *post*.

† Kennett, iii., 514; Chalmers's Annals, ii., in N. Y. H. S. Coll. (1855), 13, 37; *ante*, 202, 204, 447, 452.

exertions of Mather, Phipps, and Sir Henry Ashurst. But William detected the embarrassment it would cause to his prerogative; and his courtiers delayed it in the Lords until the Convention Parliament was dissolved. Thus "the Sisyphean labour of a whole year came to nothing."²²

The key-note thus sounded in the English House of Commons was meant to influence the colonial policy of their Dutch sovereign and his wife. A few days before Mary left the Hague for London, she was "dexterously gained" to favor New England by the "eminent" Abraham Kick, of Amsterdam, who had long been a correspondent of Mather, and at whose house Shaftesbury had died. Thus encouraged, Phipps and Mather petitioned William that Andros should be removed from his government of New England; that Massachusetts, Plymouth, Rhode Island, and Connecticut might be "restored to their ancient privileges," and that their former governors might be reinstated. The king referred this petition to his Plantation Committee, and ordered the letter of the Privy Council to Andros, of 19th

CHAP. XI.
1689.

22 Jan.
1 Feb.
Mary gained to favor New England.

February, to be "postponed 'till the business of taking away the charters should be considered." The committee, having heard Phipps's and Mather's counsel, as well as Sir Robert Sawyer, the late attorney general—who reported the reasons for canceling the Massachusetts patent—agreed to report "that his Majesty be pleased to send forthwith a Governor to New England in the place of Sir Edmund Andros, with a Provisional Commission, and with Instructions to proclaim his Majesty in those colonies, and to take the present administration of the Government in those parts until further order; in which Commission and Instructions it may be expressed that no money shall be raised by the Governor and Council only. And their Lordships will likewise propose that His Majesty do thereupon give further order for preparing, as soon as may be, such a further establishment as may be lasting, and preserve the rights and

18 Feb.
Phipps and Mather's petition to William.

26 Feb.

22 Feb.

Queer report of William's Plantation Committee.

* Commons Jour., x., 17, 41, 42, 51; Parl. Hist., v., 150, 503-516, 527; Kennett, iii., 516; Tindal, iii., 119; Mackulay, iii., 393, 408, 517, 522, 532, 534; Chalmers's Ann., i., 415; ii., 61, 62, 90; Rev. Col., i., 231; Douglas, i., 465; Hutch. Mass., i., 3-9, 390; Barry, i., 569; Mass. H. S. Coll., ix., 243, 247; xxxviii., 659; Mather's Magnalia, i., 197, 198; Parentator, 122, 123; Andros Tracts, ii., xv., 256. If the bill passed by the House of Commons had become a law, important questions must have come up about the condition of New York, New Jersey, Connecticut, Rhode Island, and other American colonies, to which Charles and James had granted patents after May, 1669.

1699. privileges of the people of New England, and yet reserve such a dependence on the Crown of England as shall be thought requisite." But the sending another royal governor to New England in place of Andros was not what Phipps and Mather asked; and William was prevailed upon to disregard "the salutary advice of his ministers." Accordingly, when the report of his Plantation Committee was considered by the king in Council, he ordered "that it be referred back to the Committee to consider of and prepare the draught of a New Charter to be granted to the inhabitants of New England, and [which?] may preserve the rights and properties of those colonies, and reserve such a dependence on the Crown according to the Report; and that, instead of a Governor to be sent in the room of Sir Edmund Andros, there be appointed two Commissioners to take upon them the administration of the Government there, with directions immediately to proclaim the King and Queen."*

26 Feb.
William
dabious.

William
wishes to
preserve
the domina-
tion of New
England
whole.

14 March.
Mather
again sees
the king.

This order of William, while it settled the fate of Andros, showed that the king meant to give a new charter "to the inhabitants of New England" which would allow them a Colonial Assembly, and yet preserve their "dependence on the Crown" of England, first, through two royal English commissioners, and afterward by a royal governor. William at once adopted James's policy of consolidation, so as to keep the "Dominion of New England" an entirety, under a royal governor; but he wished to modify that policy so as to allow "the inhabitants" to choose their own Assembly. This scheme may have suited Phipps, whose enmity to Andros was personal; but it was fatal to the views of Mather, who desired the restoration of Puritan oligarchy in Massachusetts, of which he was a chief preacher. Mather therefore got Lord Wharton to present him again to the king, whom he implored "to favour New England." This William readily promised, but he cautiously remarked, "there have been irregularities in their government." Being farther pressed, he added, "I will forthwith give order that Sir Ed-

* Plantation Journals, vi., 197, 198, 200-204; New England Entries, iii., 200, 201; Privy Council Min., Will. and Mary. i., 21; Chalmers's Ann., ii., 22, 23, 25, 29; Mass. H. S. Coll., xxxii., 298; xxxviii., 191, 195, 197, 528, 568, 705; Force's Tracts, iv., No. 11, 11-14; Andros Tracts, ii., xvi., xviii., 149-170; Bulfinch, iii., 522, 523. Kick, who wrote to Mary at the Hague, was made English consul at Rotterdam in 1699: Wagenaar, xv., 565.

mund Andros shall be removed from the government of New England, and be called unto an account for his mal-administration. And I will direct that the present King and Queen shall be proclaimed by their former Magistrates." What William really meant by "their former magistrates" is not clear. But he certainly did not intend to sever or disunite his royal dominion of New England into its former several colonies. In this Whitehall uncertainty, Phipps, thinking that "the best stage of action for him would now be New England itself," hastened thither. But, "before he left London, a messenger from the abdicated King tendered him the government of New England, if he would accept it." James, who had now come from France to Dublin, seems to have thought that by removing Andros and appointing Phipps, he might retain his authority over New England. Phipps of course declined this Irish offer by "the abdicated King" of a colonial "government without an Assembly," and he soon afterward embarked for Boston, carrying the Council's delayed letters to Andros, "with certain instructions from none of the least considerable persons at Whitehall," that if the people of New England gave them "the trouble to hang Sir Edmund, they deserved no friends."*

CHAP. XI.

1689.
William's
orders.James offers the
government of
New England to
Phipps.

April.

15 April.

26 April.
Plantation
Committee's
suggestion.

After Phipps left, the Privy Council directed Secretary Shrewsbury, "upon inquiry from those who have the most considerable interest in New England, New York, and the Jerseys, to present to the King the names of such as may be thought fit at this time to be Governor and Lieutenant Governor of those parts." A few days afterward, the Plantation Committee, seeing that a war with France was at hand, suggested to the king "the speedy settling of such a government in New England, New York, and the Jerseys, as, upon recalling Sir Edmund Andros, may enable your Majesty's subjects, who are very numerous in those parts, not only to oppose by their united forces the French of Canada and Nova Scotia, but to carry on such further designs as your majesty may find requisite for your service;

* Mass. H. S. Coll., ix., 245, 246; xxxii., 298; xxxviii., 765; Andros Tracts, ii., xix; Mather's Magnalia, i., 178, 197, 198; Parentator, 120, 121; Hatch, Mass., i., 377, 389, 390, 397; O'Brien, i., 138; Chalmers, Rev. Coll., i., 201, 207, 208, 231; P. M. Ann., i., 376, 431, 439; ii., 23, 26; N. Y. Col. Doc., iii., 578, 582, 587, 5-8; Bancroft, iii., 78, 79; Barry, i., 595, 599; Paley, iii., 522, 523; Clarke's James II., ii., 327-330.

1684. without which union and government the French may easily possess themselves of that Dominion, and trade of those parts which are so considerable to the crown." The committee also proposed "that, as Maryland, Pennsylvania, and Carolina are Proprieties of great extent in America, which do not hold themselves subjects to your Majesty's immediate government, nor render any account to your Majesty of their proceedings, your Majesty would please, in this conjuncture, to give such directions as may better secure your Majesty's interests in those parts, and put them in a condition of defence against the enemy." This advice pleased

2 May. William, who ordered the Plantation Committee to consult the Admiralty about sending ships to America, and also to propose "the names of fit persons to be sent as Governors to the Plantations, and what may be fit to be done for his Majesty's service in the present conjuncture, as well for settling the government of New England, New York, and the Jerseys, as for securing His Majesty's interest in the several proprieties in America." The committee shortly afterward

18 May. The Plantations to be made more dependent on the crown of England. represented that "the present circumstances and relations they stand in to the government of England is a matter worthy of the consideration of Parliament for the bringing of those Proprieties and Dominions under a nearer dependence on the Crown, as his Majesty's revenue in the Plantations is very much Concerned herein." Thus the Dutch king who had succeeded James the Second was advised by his Whig English counselors, in the third month of his reign, to carry into vigorous effect some of the most decided colonial measures of his predecessor, because they were now selfishly considered to benefit England.*

10 March. James in Ireland. Meanwhile, James had come over to Ireland at the head of a large French expedition, hoping to recover his deserted throne. By William's command, Secretary Shrewsbury

15 April. wrote a circular letter to the British American governors, informing them that, by reason of the assistance which Louis had given to the king's enemies in Ireland, "and by the invading His Majesty's territories in America, and disturbing the trade of his subjects in those parts for several years past," preparations were to be made for a speedy war

* Mass. H. S. Coll., xxxii., 293; N. Y. Col. Doc., iii., 573, 574; Chalmers's Rev. Col., i., 222; Dixon's Penn., 269.

with France, and ordering them, with all diligence, to "take effectual care for the opposing and resisting any attempt of the French." The king and queen also issued their proclamation granting an asylum in England, with their royal protection, to the Protestants who had been driven from France after the revocation of the Edict of Nantes. This was followed by a declaration of war against France, drawn by Solicitor General Somers, which set forth, among other causes of hostility, the invasion of the territory of New York by the Canadians as an act "not becoming even an enemy." The necessity of promptly securing the English-American colonies was obvious, for it was reported in London that Louis had ordered their seizure before news of the revolution in England could cross the Atlantic. But the embarrassments of William's situation, and the folly of his Whig ministers, caused him to neglect the best opportunity which England ever had to crush the power of France in North America. Thus Whitehall placemen, sacrificing the interests of their mother country, inflicted present miseries on her Plantations, and left them victims to domestic discords and protracted border wars.*

The policy of Louis the Fourteenth glittered in contrast with that of William the Third. The French king had around him at Versailles devoted and accomplished men, who did not hesitate to give him, when he demanded it, their best advice. Louvois, his ablest minister next to the dead Colbert, was yet savagely vigorous; Seignelay was laborious to please; and about Canada, the displaced Frontenac was at hand to personally relate all his own experience there. And now Callières reached Paris with Denonville's dispatches of the previous autumn. These were promptly considered. Louis was of opinion that if James had remained King of England, he "would no doubt have recognized" the French right of sovereignty over the Iroquois. But, however this might have been, the condition of European politics was greatly changed. A Dutch Protestant prince—the unrelenting enemy of France—was now a

CHAP. XI.

1689.

William's colonial orders.

25 April. French refugees protected.

17 May.

War declared between England and France.

27 April.

Error of English colonial policy.

January. Colonial policy of Louis.

* Clarke's James II., ii., 319-331; Dalrymple, ii., 311-342; iii., 45-52; Macpherson, i., 174-186; Kennett, iii., 526, 527; Tindal, iii., 89, 90, 91; Selwyl, xxvii., 113; Narcissus Luttrell, i., 524; Macaulay, iii., 128, 170; Chalmers's Rev. Col., i., 223, 227, 228; Annals, ii., 2, 16, 35, 42, 87; Virginia Entries, iv., 241-246; Penn. Col. Rec., i., 291, 302; Dixon, 263; N. Y. Col. Doc., iii., 609; Doc. Hist., ii., 26; iii., 569; Bolton's Church in Westchester, 392; ante, 435.

1689. chosen sovereign of England. Her Jesuitical old king was a refugee in France, encouraged to attempt the regaining of his abdicated royalty. Notwithstanding all his faults, Louis was a chivalric gentleman. With James on his throne in London, he might have negotiated about sovereignty over the North American Iroquois. With James his own guest at Saint Germain, Louis could not chaffer. Louis therefore gave James French soldiers, with which the "abdicated king" went to Ireland to regain the crown he had so foolishly thrown away. What the result of this Irish campaign might be was uncertain; but, at all events, Louis could have no friendly dealings with the Dutch Prince of Orange, who, he considered, had usurped the British throne. While James was thus in Ireland, and while William in London was declaring war against France, Louis resolved to make peace with the New York savages at any rate; and to render this more easy, he ordered that all the Iroquois prisoners which Denonville had sent over to serve in the royal galleys at Marseilles should be returned to Canada, and supplied with gaudy clothes from the shops of Paris.*

1 May.
Iroquois
prisoners
sent home.

January.
Callières's
project.

February.
May.

But Callières, in an able memorial to Seignelay, expounded the advantage, and even the necessity, of now seizing New York, where Andros, who was a Protestant, would certainly acknowledge the Prince of Orange, and be sustained in doing so by the inhabitants, who were mostly Dutch, and generally Protestants.† In a separate memoir, Callières detailed his plan, which was to advance with two thousand men, in canoes and bateaux, from Montreal, through the Richelieu River, Lake Champlain, Wood Creek, and the Hudson River, to Albany, and thence to New York; while two ships of war were to blockade the metropolis, the condition of which was described with tolerable accuracy. Louis, however, hesitated; and Callières again and again urged prompt action, arguing in favor of the conquest of New York that, even if James should continue to be recognized as king there, "we can make use of the plausible pre-

* Col. Doc., ix., 353-358, 416-418; *ante*, 520.

† Col. Doc., ix., 403, 404, 422. It is clear that the French did not expect Andros to betray his government to them, as suggested in Mather's "Narrative," and afterward charged by the Puritans of Boston: *Forster's Tracts*, iv., No. 9, p. 41; No. 10, p. 11; compare *Pulver's Impartial Account*, p. 36; *Andros Tracts*, I.

text of having seized it with a view to preserve it for him-
self against the attacks of the rebels, and to give it back
to him after his restoration, or treat with him for it." 1689.

While the king "thought well" of Callières's project, he put
off its execution, and ordered Denonville to send a full re-
port on the subject. The English declaration of war, how-
ever, forced Louis to act promptly. Disregarding the treaty
of colonial neutrality, he approved the project of Callières;
but he confided its execution to an abler general than him
whose ineffectual campaign against the Senecas was esteem-
ed only valuable "as material to be put in history, as if it
were some glorious achievement." Denonville was accord-
ingly recalled to serve in Europe, and the veteran Fronte-
nac, who had been living in poverty at Paris since 1682,
was again appointed Governor General of Canada.*

CHAP. XI.

1689.

1 May.

17 May.

Louis ap-
proves the
project of
Callières.Denonville
recalled
and Fron-
tenac reap-
pointed,
21 May.

Frontenac's instructions, prepared with great care by
Louvois, after conferences with the new governor himself
and La Motte Cadillac, of Acadia, were more complex than
the original plan submitted by Callières. It was now de-
termined that the English were to be simultaneously attack-
ed at Hudson's Bay and in New York. The expedition was
to embark at Rochelle, and after Frontenac had reached
Quebec and organized his forces, he was to direct Caffinière,
the admiral commanding, to coast southward to Sandy Hook,
and then co-operate with him as soon as he should have
passed victoriously down the Hudson. After the conquest
of New York, its Roman Catholic inhabitants might be suf-
fered to remain; but all French refugees, especially those
of the "Pretended Reformed Religion," were to be sent to
France. Mechanics and laborers might be retained as pris-
oners to work and build; but all the other inhabitants were
to be sent to New England, Pennsylvania, and elsewhere.
These instructions certainly did not suggest any anticipated
co-operation of the Protestant Andros, or any purpose of
Louis to acquire New England, for which he did not care.
What he desired was to obtain New York, and New York
only. After its conquest, Callières was to remain Govern-
or of New York, under the command of Frontenac, and
"all the English settlements adjoining Manatte, and further

7 June.

Fron-
tenac's in-
structions.What was
to happen
in New
York.

* Col. Doc., iv., 478; ix., 401-408, 411-422, 427, 503; Charlevoix, ii., 392, 393, 394, 395;
Dec. Hist., i., 179-182; Carneau, i., 271, 301, 325-327; La Hontan, i., 196, 197; *and*, 430, 439.

ORIGINAL off if necessary," were to be destroyed. These savage instructions were worthy of the iron-hearted Louvois, who, had just before directed the devastation of the Palatinate. French frigates, the "Embuscade," the "Fourgon," and the "Saint Francis Xavier," were ordered to be prepared at Rochelle to convey and co-operate with the expedition meant to lay waste New York. But while Maintenon could plead with Louis against the inhuman atrocities he had authorized on the Rhine, she felt no sympathy for his meditated victims on the far off Hudson. The providence of God alone was their almighty protector.*

In those colonial days news from Europe came tardily and uncertainly across the Atlantic. James's monitory letter to Andros of October, 1688, did not reach Boston until 1 January. the beginning of January, 1689. By the same vessel which bore it, Mather and his fellow-workers in London conveyed to their friends in Massachusetts the result of their "solicitations" with the king, and "warned them to prepare the minds of the people for an interesting change." James's letter was sent by express to Maine, where Andros then was, bravely guarding the New England frontier against the savages. In loyal obedience to his orders, the governor general promptly issued his proclamation, dated "at Fort Charles at Pemaquid," charging "all officers civil and military, and all other, his Majesty's loving subjects within this his Territory and Dominion aforesaid, to be vigilant and careful, in their respective places and stations; and that, upon the approach of any Fleet or Forreign force, they be in readiness, and use their utmost endeavour to hinder any landing or invasion that may be intended to be made within the same."†

James's letter of October sent to Andros in Maine.

10 Jan. Andros's Proclamation from Pemaquid.

Soon afterward, while Nicholson was busily putting New York in a better condition of defense against a "foreign force," news of the landing of the Prince of Orange at Tor-

* Col. Doe, ix., 422-431, 446, 650, 660, 671; Doe. Hist., i., 183-185; Charlevoix, ii., 395-401; Garneau, i., 592; Macaulay, iii., 122-126; Martin's Louis XIV.; Chalmers's Ann., ii., 68. In the light of Freutenac's instructions, it is amusing to read the hearsay twaddle about Andros which its compiler has stuffed into the "Revolution in New England Justified;" Force's Tracts, iv., No. 9, p. 31-43; compare Palmer's "Impartial Account," p. 56; Andros Tracts, i.

† Chalmers's Ann., i., 469; ii., 26, 21, 23, 39; Force's Tracts, iv., No. 9, p. 10; Mather's Mag., i., 179; Hutch. Mass., i., 373; Coll., 571; Barry, i., 504; Palfrey, iii., 569, 570, 571, 579; New England Papers, v., 31-34; note, 334. An original of Andros's Proclamation of 10 January, 1688-9, printed by Richard II. Lee, "at Boston in New England," is in the New York Society Library, and a lithograph fac-simile of it is in Valentine's Manual for 1850, p. 492, and a copy in Hist. Mag., x., 144, *sup.*; see also a copy *post*, Note II., p. 662, 663.

bay reached Virginia. A coasting vessel from there came to New York, and Andries Greveraet, her master, called on the lieutenant governor in Fort James. Astonished to hear of William's invasion of England, Nicholson compared him to Monmouth, and prophesied that "the very 'prentice boyes of London will drive him out againe;" and he strictly forbade Greveraet to divulge the news. A week afterward, Jacob Leisler, then engaged in importing liquors, and commissioned a captain in Colonel Bayard's city regiment, received a confirmation of the intelligence by way of Maryland. The news, which, "to hinder any tumult," was kept private at first, was dispatched by Nicholson to Andros in Maine by two separate expresses, on land and water.*

CHAP. XI.

1689.

5 Feb.
News of
William's
invasion
received at
New York.

1 March.
The news
dispatched
to Andros.
2 March.

Having put the garrisons in good condition, and placed Brockholls in command at Fort Charles, the governor, as soon as he received the intelligence, left Maine, accompanied by West, Graham, and Palmer, and hastened to Boston, which he reached "about the latter end of March." A few days afterward a ship came to Boston from Nevis in the West Indies, which brought as a passenger John Winslow, who had copies of the Prince of Orange's declaration of the previous October, and also confirmatory intelligence of "his happy proceedings in England, with his entrance there." Instead of promptly calling on the governor, as Greveraet had called on his subordinate in Fort James, Winslow sullenly remained at home, and Andros, hearing that he had important intelligence, required his attendance. Being asked for the prince's declarations, Winslow refused to produce them, telling the governor that he was "afraid to let him have them, because he would not let the people know any news." Winslow was then sent before a justice of the peace, and, remaining obstinately contumacious, he was committed to prison for not imparting to the Governor of New England important and unique public documents from the mother country, which, in default of their open production, were supposed to be "traiterous and treasonable libels."†

16 March.
Andros re-
turns to
Boston.

4 April.

Winslow
imprisoned
at Boston
for contumacy.

* Col. Dec., iii., 501, 600; Hutch. Mass., i., 372; Penn. Col. Rec., i., 246; N. Y. H. S. Coll., 21 (1568), 241-243, 359; Chalmers's Annals, ii., 21; *ante*, 533. Mr. Palfrey does not refer to this New York intelligence.

† Palmer's Narrative, 35; Rev. in N. E. Justice, in Force's Tracts, iv., No. 9, 10-12, 18; N. Y. Col. Dec., iii., 581, 723; Chalmers's Annals, ii., 21; Hutch. Mass., i., 373; Palfrey, iii., 570-575; Mather's Magnalia, i., 179; Andros Tracts, i., ii.; *ante*, 533.

GENERAL

1689.
Mather's
letter to
Brockholls.Falsehoods
rumored in
Boston.16 April.
Andros's
letter to
Brockholls.

Mather's intrigue in London, which prevented the transmission to Andros of the Prince of Orange's confirmatory letter of the 12th of January, now produced its intended result. That wandering divine had written from England that a "charter with larger power" for Massachusetts would be obtained from James the Second. It was plausibly argued by Bradstreet and other correspondents, whom Mather had encouraged, that if favor was to be expected from James, much more would surely come from William. The Dutch invading prince—although the stadtholder of that large-minded Continental nation of which insular Englishmen were always jealous—was nevertheless a Protestant and a disciple of Calvin, whom the English Puritans also followed. The success of William of Orange over their bigoted popish king was now the earnest prayer of most British subjects in Old and New England. Although it was well understood in France that Andros would declare for the Dutch prince if he should become the sovereign of England, the chief leaders of opinion in Massachusetts pronounced otherwise. It was accordingly rumored that, by his proclamation from Pemaquid to hinder the landing of any "foreign force" in New England, its governor general meant to oppose the lawful commands of the British sovereign, whoever that sovereign might be. Of such a political solecism, Andros was too good an English soldier and too faithful a colonial officer to be guilty. In truth, few English-American governors were more thoroughly "loyal" than the slandered, domineering, and exacting Sir Edmund. He was only a prototype of meaner pretenders. But by this time an unusual excitement prevailed in and around Boston. Hearing of it, the governor wrote to Brockholls at Pemaquid that "there's a general buzzing among the people, great with expectation of their old charter, or they know not what;" and he cautioned all officers there to be faithful in their trusts, and careful "to avoid surprise." By this order, Andros meant to guard his subordinates in frontier Pemaquid—not from any imaginary "surprise" by William or the Dutch, who, if they had any longings for American dominion, would surely not have made their first demonstration there, but—from the French savages, to whom "some merchants in Boston" had, as has been seen, traitor-

ously, but very characteristically, conveyed supplies of am- CHAP. XI.
munition while their own governor was absent fighting 1689.
those savage enemies in Maine.*

Andros sent Brockholls an expressive metaphor. The "buzzing" people were stirred up by their ministers to swarm on the "old charter" granted by "King Charles the Martyr," under which Congregational clergymen had long been used to control their flocks in Massachusetts. But the most discerning colonial minds saw that the fate of the British Plantations must follow that of the mother country, and they wished to await in quiet the event in England, about which a few more days would bring those authoritative orders that no English subject in America could loyally question. So the "principal gentlemen in Boston," after consultation, agreed that they would, if they could, "extinguish all essays in the people towards an insurrection." Yet, if an "ungoverned *mobile*" should push matters to an extremity, those "principal gentlemen" would themselves head the movement, and secure any official rewards that might follow the contemplated stroke of state. Cotton Mather accordingly prepared a prolix "Declaration of the Gentlemen, merchants and inhabitants of Boston and the Country adjacent," giving their reasons for a revolt against the government of Andros, and announcing their resolution to secure him and his officers, "for what justice Orders from his Highness with the English Parliament shall direct, lest, ere we are aware, we find (what we may fear, being on all sides in danger) ourselves to be by them given away to a Foreign power, before such orders can reach unto us." This "Declaration" was just such a writing as its penman, who was "more a clergyman than a lawyer," was likely to draft.†

"Bazz-
ing" in
Boston.

Politics of
the Boston
"gentle-
men."

The mine, thus carefully prepared, was adroitly exploded. It was rumored that Boston and its inhabitants were to be destroyed by the New York Mohawks, and by undermining the town; that the soldiers in Maine were poisoned with rum; and that there was a French fleet on the coast. These

Lies circu-
lute.

* Col. Dec., iii., 578, 581; ix., 403, 404; Chalmers's Ann., i., 469; ii., 20, 21; Hutch. Mass., i., 372, 373; Williamson, i., 5-9, 590, 606-610; Bancroft, ii., 445; Palfrey, iii., 571-577; Andros Tracts, i., 54, 55; ii., 193, 216; *and*, 522, 523, 537, 546.

† Palmer's Impartial Account, 13; Mather's Magnalia, i., 179, 180; ii., 588, 589; Hutch. Mass., i., 373, 381; Palfrey, iii., 556, 578, 579; Bigelow, in Force's Tracts, iv., No. 10, 6-12; Col. Dec., iii., 582; Historical Magazine, vi., 19-14; Andros Tracts, i., ii.

CHAP. XI. and other absurd stories were so generally believed as to provoke insurrection. On Thursday morning, the eighteenth of April, "a sudden irruption of the people from all parts" awaked Boston, and the town rose in arms, "without the privy" of her most "substantial men." Captain George, of the royal frigate *Rose*, was seized as he came on shore; and with him Sherlock, Randolph, Farewell, and other obnoxious officials, were imprisoned. About noon, Bradstreet, the last Governor of Massachusetts under its cancelled charter, with several clergymen and other prominent citizens of Boston, had assembled at the Council Chamber in the Town House, in front of which "all the companies were soon rallied." Mather's verbose "Declaration" was read from the balcony, and a message from the "gentlemen" in the Council Chamber, for themselves and "many others," who were "surprised with the people's sudden taking of arms," was sent to their governor at the fort. It urged him to "forthwith surrender and deliver up the Government and Fortification, to be preserved and disposed according to order and direction from the crown of England, which suddenly is expected may arrive; promising all security from violence to yourself or any of your gentlemen or soldiers, in person and estate." If the signers of this summons were "surprised" by the insurrection, the "strange and sudden" movement was, as he himself deliberately wrote, "wholly a surprise" to Andros, who knew "noe cause or occasion for the same." He sarcastically "admired" whence so many armed men came now, because when he wanted them "to go to the eastward, he found it difficult to have them procured." But the lieutenant of the *Rose* frigate, hearing that her captain had been seized, had meanwhile prepared the ship for action, and had sent a boat ashore to bring off the governor. As Andros and his attendants were going down to embark, they were met by an armed party, headed by John Nelson, which, having overpowered the boat's crew, delivered the summons from the Town House. Seeing that it was signed by "several of the Council," some of whom he had particularly "sent for from distant parts," the governor and those with him went at once to the Council Chamber. As they passed thither, "the streets were full of armed men, yett none offered him, or

1689.
18 April.
Insurrec-
tion of the
people in
Boston.

Cotton Ma-
ther's
"Declara-
tion" read.

those that were with him, the least rudeness or incivility, but, on the contrary, usual respect." In his Council Chamber, Andros was ordered by those present, "who had no suitable regard to him nor the peace and quiet of the country," to be imprisoned, as were also Graham, Palmer, West, and other subordinate officers of the "Dominion." The insurgents broke open the secretary's office, and took away all the records; but they missed finding "Sir Edmund's papers," which they were especially anxious to secure; and the great seal of New England seems to have disappeared.*

A more unjustifiable rebellion of colonists, who professed allegiance to their mother country, never happened. Yet it has been praised as patriotism by many writers of American history. If Massachusetts had been an independent state at that time, she might have well done. But Massachusetts was only a subordinate colony of England, and a part of its royal "Dominion of New England in America." The colony at that very moment was beseeching royal favor. Loyalty should have kept her quiet. There was no reason why she should vex William. Yet, with the headstrong audacity which always marked her pretensions, she set herself up as superior to other English colonies in America, and demanded privileges greater than those of her coequals.

The governor being safely in prison, the question arose how the government of the royal dominion of New England was to be lawfully administered? If Andros had embarked in the *Rose* frigate, as he intended, he would probably have transferred his seat of government to New York, and thus have maintained his authority. This is the main reason why the insurgents were so anxious to secure his person. Under the king's commission, Lieutenant Governor Nicholson was to succeed his chief only in case of his death or absence from the territory. Forced incapacity of the governor had not been contemplated. Whether the imprisonment of Andros entitled Nicholson to assume the government of New England under a strict construction of the king's commission, is doubtful; yet no maladministration

CHAP. XI.

1689.

Andros imprisoned by the insurgents in Boston.

Solcism of Massachusetts.

Was Nicholson to govern in place of Andros?

* Mass. H. S. Coll., xxvi., 205, 206; xxxv., 190-198; Conn. H. S. Coll., i., 77, 78; N.Y. Col. Doc., iii., 578, 723, 724; R. I. Rec., iii., 281-285; Palmer's Impartial Account, p. 9, 34-37; Ford's Tracts, iv., No. 9, p. 30-32, 40-42; No. 10, p. 3-5; Hatch, Mass., i., 374-381; Coll., 557-571, 575; Chalmers's Ann., i., 429, 430, 453, 456; ii., 23, 24; Barry, i., 502-504; Arnold, i., 515; Palfrey, iii., 577-587; Andros Tracts.

CHAP. XI. could be alleged against him, as it had been charged against his immediate superior. It was certain that, next to Andros, the only chief representative of the English crown in the dominion was its Lieutenant Governor Nicholson. But this was disregarded by the Boston mutineers, whose object was to break that dominion into its old pieces. Their imprisonment of Andros was really only a cloak for "Secession." Massachusetts did not like union, unless she could control that union, as she had done for many years after the old colonial confederacy of 1643. She pined for a separate local government, like that which she had enjoyed under her perverted and abrogated charter. It was very galling to her that, in common with other British American colonies, she should be subjected by her king to the authority of a governor general. Although but a subordinate English colony, not claiming sovereignty, but imploring royal charity, she determined to revolt:—and so she seceded.

1689.

Massachusetts the author of "secession."

20 April. A "Council of Safety" assumed the government of Massachusetts, and hastened to cashier the officers of the king's regular companies, and to withdraw the garrisons which Andros had established in Maine. Major Brockholls, Lieutenant Colonel MacGregorie, and Captain George Lockhart were sent to Boston from the Maine garrisons. They were all New York officers; and Peter Schuyler served as lieutenant of Captain Lockhart's troop of horse on duty at Albany the previous winter.* The Boston notion of "secession" quickly spread throughout the dominion of New England. Plymouth—as Wiswall wrote to Hinckley—did not like "to trot after the Bay horse." Rhode Island certainly had no sympathy with the persecutors of Anne Hutchinson and Roger Williams. Connecticut—which had so adroitly coquetted with Massachusetts and New York—did not wish to be joined with either. New York, always imperial, abhorred a political connection with the New England colonies. New Jersey followed placidly in the wake of New York. And so, in the spring of 1689, all the constituent colonies which formed their sovereign's dominion of New England were ripe to adopt the "most sanctified" Massachusetts idea of "secession."

Plymouth does not like "to trot after the Bay horse."

Secession triumphs.

* Williamson, I., 560, 569; Col. Doc., III., 618, 724; Maine H. S. Coll., v., 294, 295; N. Y. H. S. Coll. (1863), 266; Col. MSS., xlviii., 120, 121, 122; Andros Tracts, i., 14¹-173.

Plymouth boldly reinstated her former Governor Hinckley, and went on in her old system of administration. Chief Justice Dudley, on his return from holding court at Southold, on Long Island, was arrested at Narragansett and taken a prisoner to Boston. The freemen of Rhode Island resumed their old charter government, and replaced their former magistrates. One of the copies of the charter of Connecticut was brought out of the hollow tree at Hartford, and Robert Treat, the former governor, with his associates, resumed the functions they had surrendered eighteen months before. A few weeks afterward a Convention met at Boston, which, instead of entering on "the full exercise" of the old charter government, merely reinstated the magistrates chosen in 1686, provisionally, until orders should come from England. A vessel now reached Boston with news of the accession of William and Mary; yet the British sovereigns were not proclaimed in Massachusetts. Three days afterward Sir William Phipps arrived with the delayed dispatches from Whitehall directed to Andros. Finding that the governor, whom he had intended to "secure," was already in custody, Phipps, instead of sending them to Nicholson, feloniously opened the letters addressed to Andros and to Secretary Randolph on public business, which, among other things, contained the official proclamations. The same afternoon William and Mary were proclaimed at Boston king and queen, "with greater ceremony than had been known." Emboldened by the advice of Phipps, the usurping authorities of Massachusetts determined that Andros, with Dudley, Randolph, Palmer, West, Graham, Farewell, and Sherlock, his most obnoxious subordinates, should be kept close prisoners without bail. But Brockholls, MacGregorie, Jamison, and others, who were at first imprisoned, appear to have been discharged.*

CHAP. XI.

1689.

22 April.

21 April.
Dudley arrested.

1 May.

Connecticut emboldened.

9 May.

24 May.

26 May.

29 May.

Phipps's felony at Boston.

27 June.

* Col. Dec., iii., 574, 575, 578, 581, 582, 583, 587, 588, 618, 724; Col. Rec. Conn., iii., 248, 250, 255, 455-459, 463-466; R. I. Rec., iii., 257, 266-269; Arnold, i., 512, 513; Plymouth Rec., vi., 208, 209; N. Y. H. S. Coll. (1868); Mass. H. S. Coll., xxxv., 190-202, 301; Maine H. S. Coll., i., 196; v., 271; Williamson, i., 503; Mather, Mag., i., 1-9; ii., 588; Force's Tracts, No. 9, p. 9-12, 18; No. 10, p. 5, 4; Hist. Mag., vi., 9-11; Hutch. Mass., i., 371-388, 413; Coll., 568, 571, 575; Chalmers's Annals, i., 429-431, 469, 470; ii., 24-28, 51; Rev. Col., i., 269; Grahame, i., 288, 320; Bancroft, ii., 447-450; iii., 71, 72, 78; Berry, i., 701-707; Trumbull, i., 376, 377; Palfrey, iii., 581-588; *ante*, 543. It is remarkable that Mr. Palfrey suppresses the accounts given by Randolph and French (Col. Dec., iii., 582, 583, 587, 588) of the behavior of Phipps on board the "Prudent Sarah," in which he came from England, and afterward on shore in Boston.

1689.

Inconsistency of the Boston revolt.

Thus, without the knowledge, and against the purpose of King William, his "Dominion of New England" was "dissuited." That dominion had lasted just eight months after the annexation of New York and the Jerseys to New England. By the "secession" of Massachusetts, a loyal but perhaps reluctant union was dissolved, and the most pretentious English colony became the first practical exponent in North America of that doctrine of "State Rights" which afterward produced so much national disorder. Yet, in all the insurrectionary movements in New England, there was no intent to revolt from the mother country. The colonial subjects who deposed Andros did not claim the right to frame their own local governments. On the contrary, vehemently protesting their loyalty to the crown, they sought to obtain from their actual sovereign a restoration of the charters which former English kings had granted to them. Local corporate privilege under royal authority, and not universal popular freedom, was the object desired, and in the mutiny to regain it, the selfish lust of oligarchy was more apparent than devotion to the genuine principles of civil liberty.*

The whole affair very local.

22 April, Virginia.

The insurrection in Boston was wholly owing to Phipps and Mather's intrigue in London, which prevented the dispatch to Andros of William's orders in January. Had those orders been sent to him at once, as intended, there would have been no revolt in Massachusetts. The Protestant Governor of New England was too loyal a colonial officer to hesitate in obeying the directions of the head of his home authority. William and Mary would have been dutifully proclaimed as soon as the English royal Council's dispatches reached Andros, and the dominion of New England would not have been broken up by rebellious secession. The orders of the Privy Council were duly forwarded to Virginia, where William and Mary were promptly proclaimed at Jamestown. The case of Maryland somewhat resembled that of New England. Lord Baltimore, being in London, received the Council's orders there, and instructed his deputies in Maryland to proclaim the new sovereigns. But his directions were delayed by accident or design, and in April John Coode headed a Protestant asso-

* Col. Doc., III., 581, 725; Chalmers, Rev. Col., i., Int., x., xi., 269; Annals, II., 25.

ciation, which soon overthrew the proprietor's government, and carried on a usurped authority for some time with "predatory tyranny." Penn, who was also in England, received similar orders, which, like Baltimore's, were not forwarded, and the government of Pennsylvania was administered in the name of King James until the following November, when William and Mary were proclaimed.*

CHAP. XI.

1689.

July.
August.
Maryland
and Penn-
sylvania.

When the first news of the revolution in England reached New York, its provincial affairs were administered under Andros by Nicholson, the lieutenant governor, and the three royal resident counselors, Phillipse, Van Cortlandt, and Bayard. The other New York members of the Council were absent from the metropolis—Brockholls in Maine, Baxter in Albany, Younge at Southold, on Long Island, and Palmer near his chief in Massachusetts. Nicholson, the lieutenant governor of the dominion of New England, was a soldier and a martinet, quick and irascible, a good subordinate, but hardly equal to responsible command; naturally a sycophant; professing to be a Protestant English Episcopalian, yet not troubled by inconvenient sectarian scruples; cheerfully kneeling among a Roman Catholic crowd while the popish mass was celebrated in the tent of King James, in his camp on Hounslow Heath, in the summer of 1686. This outward conformity to a ritual, which no gentleman accidentally present would refuse to accord, did not prove Nicholson to be a Roman Catholic. But it showed him to be a courtly English Episcopalian; and his timely genuflection told against him now, when the most trivial circumstances were distorted by popular credulity. Over many a Delft-ware teacup in the little society of New York the rumor went from mouth to mouth; and the verdict of the burghers and their wives, who compared notes every Sunday after hearing Domine Selvyns expound the Heidelberg Catechism in the Dutch church, was very damaging to the lieutenant governor's reputation as a good Protestant.

February.

Nicholson.

Frederick Phillipse, one of the royal counselors, with fourteen years' experience in the office, was only remarka-

Phillipse.

* Chalmers's Ann., i., 373, 374, 381-384, 421, 654, 667; ii., 12-20, 27, 38; Rev. Col., i., 202-206; Burk, ii., 306, 397; Andros's Col. Church, ii., 381, 382, 430, 491; Doc. Hist. N. Y., ii., 19, 25, 126, 149, 150; Davis's Day Star, 57-100; Penn. Col. Rev., i., 291, 305, 341; Proud, i., 347; Dixon, 262, 263; Grahame, ii., 54, 51, 355-379; Bancroft, ii., 245; iii., 20, 31; Andros Tracts, ii., 275; ante, 537.

1689. He for being the richest and the dullest man in New York. Stephen van Cortlandt, another counselor, was the mayor of the metropolis, and a brother-in-law of Peter Schuyler, the mayor of Albany. Being a gentleman, he was reputed to be an aristocrat, and his genial sacrifice of hat and wig the last August at the city carouse for the birth of the Prince of Wales marked him as a very loyal Conservative. Bayard. Nicholas Bayard, the third resident royal counselor, was a nephew of Stuyvesant, and, like Phillipse and Van Cortlandt, was an opulent man, according to the modest standard of those days. He had long official experience, and, having served as mayor, was now colonel of the city regiment of train-bands, of which the captains were Abraham de Peyster, Johannes de Bruyn, Gabriel Minvielle, Charles Lodwyck, Nicholas W. Stuyvesant, and Jacob Leisler. For more than twenty years Bayard and Van Cortlandt had been elders and deacons of the Reformed Dutch Church, of which their more quiet colleague Phillipse was also a communicant. With Nicholson, these were the three Protestant citizens who governed New York in subordination to the governor general of the dominion of New England.*

Action of See, Jan. and Feb. 1689. Seeing that the news of the landing of the Prince of Orange in England "troubled the Papists very much," Nicholson and his council, being "jealous" of Plowman, the Roman Catholic collector, ordered him to bring the public moneys in his hands, amounting to nearly twelve hundred pounds, into the fort, "in a strong chest made on purpose." 16 April. The next month "the surprising news" of the insurrection at Boston, and the imprisonment of Andros, reached New York by Ensign Vesey, of Braintree. Had the governor succeeded in his attempt to embark in the *Rose* frigate, and come in her to the metropolis, the course of events would have been very different. His vigor and experience would certainly have prevented what followed in New York. But Nicholson and his three counselors, without instructions from their imprisoned chief, in great consternation directed Mayor Van Cortlandt to convene the Aldermen and Common Council of the city, "to advise together what best is to be done for his Majesty's service, and the quieting of

* Col. Doc., iii., 584, 585, 648, 676; Doc. Hist., ii., 4, 17, 244; Hutch. Mass., i., 355; N. Y. H. S. Coll. (1863), 295; *ante*, 451, 516, 549.

the inhabitants of this place, in this dangerous conjuncture and troublesome time." The next day it was reported that France was at war with England and Holland, and the militia officers were called into council. By this "General Convention for the Province of New York," it was resolved that the city should be fortified. As half the regular soldiers in the garrison had been sent to Maine, Nicholson, "to prevent all manner of doubt and jealousies," himself proposed that a part of the city militia should mount guard in the fort. The inhabitants accordingly took their turns in watching, under the command of Colonel Bayard. As there was no time to lay taxes, and as the merchants began "to dispute the customs," Nicholson also proposed that the revenue from the first of May should be applied to the city fortifications; and this "was thankfully accepted of." The person who showed the greatest dislike to this arrangement was Captain Leisler, who, having a cargo of wine on board a ship, the customs on which amounted to a hundred pounds, refused to pay any duty, alleging that Collector Plowman, "being a papist, was not qualified to receive it, denying the then power to be legal." The justices and military officers of Kings, Queens, Westchester, Richmond, and Bergen counties, and Colonel Andrew Hamilton, of New Jersey, having been summoned, all appeared, and "promised to do their endeavour to keep the people in peace." A watchman was stationed at Coney Island, to give an alarm if more than three ships together should come within Sandy Hook. Letters were also written to Albany and Ulster, recommending the officers there to keep the people in peace and exercise the militia. The nearest royal counselors of the dominion, Winthrop, Treat, Allyn, Younge, Pyncheon, and others, were invited to come to New York and assist with their advice. But none came; and none wrote answers except Smith, Clarke, and Newberry, of Rhode Island.*

Nicholson and his three associate counselors now dispatched a letter of condolence to Andros at Boston, and asked him to send back the New York records. They also wrote to the "Gentlemen" in power there, hoping "that his

CHAP. XI.

1689.

27 April.
Convention of officers called.

28 April.

29 April.
Fortifications.

Justices summoned.

30 April.

Royal counselors do not come from other colonies.

1 May.
Nicholson's letter to the Boston rebels.

* Col. Doc., III., 575, 576, 591, 592, 606, 607, 620, 640, 657, 658, 725; iv., 209; Doc. Hist., II., 17, 18, 220, 244, 245; Whitehead's East Jersey, 122; Hutch. Mass., I., 384, note; N.Y. H. S. Coll. (1868), 242-248; ante, 552.

1059. Excellence and the rest of the officers may be restored to their former stations, or at least have liberty to come hither. For this part of the Government, we find the people in general inclined to peace and quietness, and doubt not the people will remain in their duties." This was certainly a reasonable request of the lieutenant governor. Although Massachusetts insurgents had overthrown the government of Andros within the old borders of that colony, they had no right to prevent him from exercising his commission within the rest of the dominion of New England, and especially in New York, which desired his presence. But those insurgents well knew that if the governor general should resume his authority in Fort James, there would be an end to New England "secession." So Bradstreet and Winthrop, in behalf of the Massachusetts "Committee of Safety," wrote back to Lieutenant Governor Nicholson and his New York counselors that Sir Edmund would not be released, and they inclosed a printed copy of Mather's declaration of 18 April as the justification of their action.*

11 May.
Boston rebels treason-
lent.

This Boston "Declaration" had already excited the New York people at the eastern end of Long Island. The county of Suffolk displaced their civil and military officers and chose others. Queens and Westchester did the same. Word now came to them from Leisler that Nicholson meant to betray the fort at New York "to a foreign power." So delegates from Southampton, Easthampton, and Huntington were sent to New York, "to demand the Fort to be delivered into the hands of such persons as the country shall choose." The Long Island militia who had been with Dongan at Albany now became clamorous for their pay, and some eighty of them met in arms at Jamaica. The New York city men who had been drafted did the same, and the Council ordered all to be paid off, which quieted the uproar. The delegates from Suffolk were told that each county might send a man or two to join with the authorities in New York, and letters were accordingly dispatched to invite them; "but none came."†

8 May.
Long Isl.
and trou-
bled by East-
con.

8 May.
Action of
Nicholson.

11 May,

The lieutenant governor and his associate counselors now

* Col. Doc., iii., 592, 640; Hutch. Mass., i., 333-336; Force's Tracts, iv., No. 10, 6-13; N. Y. H. S. Coll. (1868), 270, 281; Hist. Mag., vi., 10-14; *ante*, 551.

† Col. Doc., iii., 575, 577, 592, 668; Doc. Hist., ii., 227; Wood, 109, 110; Hutch. Mass., i., 335, *note*; N. Y. H. S. Coll. (1868), 292, 280; (1869), 247, 248.

wrote to the British secretary of state and the Plantation Committee, regretting the want of intelligence from England; describing the rebellious secession of Massachusetts, Rhode Island, and Connecticut from the king's dominion; and declaring that, although "the seed of sedition had been blown from thence to some of the outward skirts of this Province," and that "libels and falsehoods" had been propagated from Boston against Sir Edmund Andros, which would excite the Canadians to ruin "all the English settlements on this continent," yet that New York, although deprived of "its free course of justice" by the imprisonment of Judge Palmer at Boston, and deploring its fatal annexation to New England, was "inclined to rest at peace and quiet 'till orders do arrive." These letters were intrusted to John Riggs, "a servant of Sir Edmund Andros," who, coming from Boston to New York, was persuaded by Nicholson to convey them at once to England. Riggs was accompanied thither by the Jesuit Father John Smith, who had performed the service of his church under Dongan. But Innis, the Episcopalian chaplain at Fort James, not instructed by his bishop, continued to read the authorized prayers of his religious "denomination" for the Prince of Wales; and that the dethroned King of England might be victorious over his enemies.*

George Wedderborne now came from Boston to New York, with verbal instructions from the imprisoned governor-general of New England, directing Lieutenant Governor Nicholson to intimate to the Council "the unjust proceedings of the people in Boston, by keeping his Excellency prisoner, and the other gentlemen, upon frivolous pretences of their own, without any shadow of reason;" and desiring that Councilors Hamilton, of New Jersey, and Smith, of Long Island, should be sent "to Boston, with commission to demand his Excellency and the other gentlemen to be at liberty, that they may come amongst you." But Hamilton and Smith both excused themselves from going to Boston on a fruitless journey, because "they did think it not advisable in these dangerous times to act any further, for fear it would bring" New York "in actual rebellion." So Nich-

CHAP. XI.

1689.

15 May.
Nicholson's
report to
William.Riggs and
Smith go to
England.15 May.
Andros's
verbal or-
ders to
Nicholson.

22 May.

* Col. Doc., iii., 574-576, 585, 593, 595, 747; Doc. Hist., ii., 214; N. Y. H. S. Coll. (1868), 27, 29, 253-266; Andros Tracts; Chalmers's Ann., i., 591; ii., 27, 29; Palfrey, iii., 545, 556.

1689. ^{Col. Nelson and his council, "seeing the uproars in all parts of the Government," thought it "most safe to forbear acting in the premises till they see the minds of the people better satisfied and quieted."} The citizens of New York continued meanwhile to work on her fortifications, under the direction of Colonel Bayard, until one Joost Stoll, an ensign of Captain Leisler's company, and some others, presented to their commanding officer an "unsigned and ill penned" petition demanding that all papists should be disarmed. It was also noised about that Staten Island was full of roaming papists, who threatened to burn the metropolis; that discharged Irish soldiers were coming from Boston to garrison Fort James; and that Dongan had fitted out an armed brigantine "for some warlike design." No explanations would satisfy the aroused populace of New York. There were ridiculously few Roman Catholics living in the province; and only seven disbanded soldiers came from Boston, who, with the others in the citadel, made twenty-two in all, among whom were some "old cripples." But, to avoid all jealousies," Ensign Russell, of Fort James, and Major Baxter, who had come down from Albany, being avowed Roman Catholics, were suspended from their commands and allowed to leave the province. Baxter went at once to join Dongan, who was staying in the "Neversincks," at the house of Captain Andrew Bowne, of Monmouth, in East New Jersey, preparing to sail for England in his brigantine.*

The crisis was at hand in New York. Hitherto there had been little or no sectarian intolerance within the province. Certainly its preponderating Protestantism was in no danger from the sparse Roman Catholics who shared with others its long-cherished freedom of conscience. Yet their presence in New York was made the excuse for the events which followed. The example of Massachusetts, in seceding from the royal government of New England, had doubtless some influence. But the leading idea in New York was intense devotion to its old stadtholder, the Prince of Orange, who had delivered England from her Roman Catholic king. There was no suggestion of misgovernment

* Col. Decr. III., 553, 692, 697, 699; Dec. III., II., 4, 16, 17, 18, 244; N. Y. H. S. Coll. (1877), 262-267, 284-287; Col. Rec. Comm. II., 471; Whitehead's E. J., 133; *ante*, 577.

against Nicholson and his counselors in New York, as there had been against Andros and his counselors at Boston. New York did not want a sectarian oligarchy, as did Massachusetts. But her Dutch people were so honestly attached to William that they doubted the sincerity of the officials of the dethroned James, although those officials were all Protestants—Nicholson an Episcopalian, and Phillipse, Bayard, and Van Cortlandt members of the Dutch Church.

CHAR. XI.
1689.

Excess of
religious
feeling.

In popular movements trifles become momentous. Henry Cuyler, the lieutenant of Captain De Peyster's militia company, whose turn it was to do duty at Fort James, ordered one of his men to stand as a sentinel at the sally-port. The sergeant of the regular soldiers in garrison objected that the lieutenant governor had given no such directions. Upon Nicholson's return, late at night, the incident was reported, and Cuyler was summoned to attend him in his bedchamber. Irritated at this breach of military discipline, the lieutenant governor demanded, "Who is commander in this Fort, you or I?" Cuyler answered that he had acted under Captain De Peyster's orders. In a passion, Nicholson replied, "I would rather see the town on fire than be commanded by you," and—seeing in his chamber a stalwart corporal, Henry Jacobsen, who had accompanied his lieutenant thither as interpreter, with a drawn sword—he seized a pistol, and ordered them both out. The

30 May.

Nicholson
insulted.

next morning the story was buzzed all over town, with the usual vulgar exaggeration. It was reported and generally believed that the lieutenant governor had threatened to burn New York, and it was added that he meant to massacre those of its inhabitants who should come to worship in the Dutch church in the fort the next Sunday. The absurdity of this rumor seemed to give it greater currency. No contradiction could satisfy the people. They would have it that Nicholson and his Dutch counselors were all "Papists." The flight of James from England, it was argued, had destroyed "all manner of Government" in New York, and there were not wanting noisy demagogues to work up popular credulity with the scoundrel industry of political adventurers of their class.*

31 May.
The story
misrepresented in
New York.

* Col. Dorr, III., 593, 594, 640, 648; Doc. Hist., II., 8, 232, 245; Hutch. Mass., I., 285, *note*; N. Y. H. S. Coll. (1863), 202.

CHAP. XL.

1689.

Jacob Leisler.
A German
—not a
Dutchman.

Leisler's
character.

Peculiar
situation of
New York.

Of the events which now strode on in New York, Jacob Leisler must be considered the chief mover. Although commonly called a Dutchman, Leisler was no Hollander except by association. He was a German, born at Frankfurt-on-the-Maine, and he had first come to New Netherland as a stipendiary soldier of the Dutch West India Company. For nearly thirty years he had lived in New York, where, from his first condition as a mercenary private, he had grown to be a prosperous merchant. By marriage he had become connected with both Bayard and Van Cortlandt; but he had been involved in lawsuits with them and others whom he felt to be his superiors in education and in social position. A rankling envy of these New York gentlemen moved Leisler, as it always moves those brutal natures which count elbows and impudence better than refinement. Leisler was a fair sample of his class. His nature was coarse and vulgar; his mind vigorous, but narrow; his temper hot, stubborn, and vindictive; his prejudices ungovernable; his vanity inordinate; his education very defective; his deportment presumptuous and overbearing; his personal integrity as unquestionable as was his active benevolence toward poor Protestants, and his blazing zeal against popery. Wanting judgment and discretion, but supercharged with unscrupulous boldness and low cunning, Leisler had many of the characteristics of a successful demagogue, but few of the qualifications of a statesman.

The peculiar position of New York offered Leisler an admirable opportunity. The province had never liked its annexation to New England, yet its form of government had not been changed by James's arbitrary measure which destroyed its old identity. It had no charter, as had Massachusetts, and Rhode Island, and Connecticut. Its people were glad when the New England colonies seceded from the dominion established by their king, although they would never have revolted themselves. Every one of them felt that New York must follow the fate of England, and that the sovereign of that country must be their sovereign, unless the province was independent. But the absence of directions from England, and the imprisonment of Andros in Boston, could not fail to produce disorder in New York. The only wish of Nicholson and his counselors was to keep

the old province in peace until orders should come from the actual sovereign of England. Such orders they would gladly have obeyed. But they were sworn royal officers, and they could not act without their sovereign's instructions, which of course would be communicated—as in fact they had been—to his imprisoned governor general at Boston. Their situation was certainly trying. If Nicholson was an English Episcopalian, Phillipse, Van Cortlandt, and Bayard, his counselors, were eminent Dutch Calvinists, and these New York gentlemen all had strong sympathies with William of Orange. Yet, as royal counselors, they could not recognize an English sovereign whose accession had not been officially notified to them. But there was always a powerful Dutch under-current in New York, which now ran very strong. William of Orange was known to be the actual King of England; why should he not be proclaimed king in New York? But if official forms restrained Nicholson and his Dutch counselors, no such reserve affected the people of New York. Of these, the German Leisler now took the lead. Leisler had never been in the royal council, nor had he ever held any important provincial office; but he supposed that if he should exhibit headlong zeal for the Prince of Orange, it would help him with William as king. His narrow logic argued that if the prompt adherence of Lovelace, and Cornbury, and others in Devonshire contributed to the success of William the Third in England, so the prompt adherence of Jacob Leisler to William in New York would, in some degree, affect the great result. And so Leisler forgot that a towed yawl must follow the tacking of her ship.*

Near the Cape of Good Hope there is a growth of prickly briars which sorely trouble incautious visitors. Long before Portuguese or Dutch saw these ugly brambles, the natives of Africa carefully avoided them. When the Hollanders first encountered these thorns, and found that they hindered the bold wayfarer who would dash through, they gave them an expressive name, "Wacht een beetje," which in English means *Wait a little bit*. The Dutch were a proverbially cautious people. If Leisler and his confederates had profited by this suggestive hint from the Cape of Good

CHAP. XI.
1689.

Dutch influence in New York.

"Wacht een beetje."

* Chalmers's Annals, ii., 35; Palfrey, iii., 489; Col. MSS.; ante, 524, 546, 543.

Hope, they would have shown wisdom, and have avoided much misery which their precipitate folly inflicted on New York.

31 May.

The design imputed to Nicholson, of making the next Sunday another Saint Bartholomew's Day in New York, was so generally reported by Leisler's friends, and so readily believed by the people, that on Friday, the last day of May, the metropolis was in a great commotion. The lieutenant governor came from Fort James to meet the Council and the militia captains, who were all present at the City Hall except Leisler. All were "Protestants and principal freeholders." Nicholson explained to them what had occurred at Fort James the night before, and denied the truth of Cuyler's story. But Cuyler maintaining his version, Nicholson told him, "Go, fetch your commission; I discharge you from being Lieutenant any more." Upon this, Captain De Peyster took his lieutenant's part, and retired in anger. The drums were soon beat, and groups of citizens appeared in arms. The first among them were those of Leisler's company, who mustered tumultuously before their captain's door. Leisler, however, declining to head them, left the command to his sergeant, Joost Stoll, the keeper of a dram-shop, who quickly led them into Fort James, shouting "we are sold, betrayed, and to be murdered; it is time to look for ourselves!" Leisler now girt on his sword, and joined his company in the fort. Colonel Bayard, his superior officer, at the desire of the Convention sitting at the Town Hall, went there to bring Leisler's mutineers to reason, but their drunken Sergeant Stoll answered that they "disowned all the authority of the government." As the evening came on, Captain Lodwyck's company took its turn in mounting guard, and the people insisted on having the keys of the fort, which Nicholson kept with him at the City Hall. Sergeant William Churcher, of Leisler's company, was sent with an armed force to demand them, and the lieutenant governor was obliged to give them up, which he did to Captain Lodwyck. The six captains now agreed that each would take his daily turn in commanding the fort until orders should come from England. A "Declaration," drafted by Leisler, was also signed by some of those who had seized the fort, in which, aft-

Mutiny in
New York.

31 May.
Leisler's
"Declaration."

er referring to Dongan's "Popish" government, and charging Nicholson with having threatened to "set the city on fire," they announced that they were "entirely and openly opposed to Papists and their religion, and therefore, expecting orders from England, we shall keep and guard, surely and faithfully, the said Fort, in behalf of the power that now governeth in England, to surrender to the person of the Protestant Religion that shall be nominated or sent by the power aforesaid."*

CHAP. XI.

1689.

The next day there was a reaction, and Bayard was asked 1 June.
to take the "sole command" against the lieutenant gov-

ernor. Leisler, seeing that he was being deserted, started fresh rumors that Nicholson and his Dutch counselors were papists, rogues, and traitors, who intended to secure the government for the late King James. These and other "falceties" were circulated verbally, and by "Pamphlets in writing," throughout the city, which then enjoyed no printing-press. The following day was Sunday, on which it was Leisler's turn to guard the fort, and he determined "not to leave it until he had brought all the train-band fully to join with him." He caused to be noised around that the Prot-

2 June.
Leisler in
Fort
James.

estant religion and the government were in immediate danger, and that the inhabitants would meet "to sign and prevent the same." The militia companies were warned to come to the fort the next morning at a certain signal, and not to obey their officers if they should attempt to prevent them. Accordingly, on Monday morning, a sloop from 3 June.

Barbadoes arrived near Coney Island, and a rumor was spread over New York that French ships were inside of Sandy Hook. Leisler gave the concerted signal from Fort James, and the parade-ground in front of it was quickly filled with train-bands. The falsity of the alarm being soon discovered, Colonel Bayard ordered the captain whose turn it was to go with his company to work on the city fortifications, and the others, to dismiss their men. Instead of obeying their colonel, the train-bands, instigated by Sergeants Stoll and Churcher, of Leisler's company, pressed

False
alarm
about the
French.

* Col. Doc., iii., 585, 593, 594, 620, 634, 637, 639, 678, 689, 763; Doc. Hist., ii., 3, 7, 8, 245; Chalmers, i., 591, 610; Smith, i., 91; Hutch., i., 385, note; Hist. Mag., v., 154; N. Y. H. S. Coll. (1863), 268, 283, 345, 346. This declaration was printed several weeks afterward by Samuel Greene, at Boston. Bayard, in saying that it was "antedated," confounds it with a second paper, signed on the 3d of June: Thos. H. Hist. Print., ii., 286; Col. Doc., iii., 629, 650, 659; *passim*, p. 568.

1660. ¹ 10 James
 2 June. into the fort, reluctantly followed by their captains, who
 were told that, unless they also went in, their houses would
 be pulled down, and their lives jeopardized. Shouts and huz-
 zas welcomed them within the gates, and a paper which Leis-
 ler had prepared was offered for their signature. It was a
 proclamation, declaring that they held the fort "till the safe
 arrival of the ships that we expect every day from his Roy-
 al Highness the Prince of Orange, with orders for the gov-
 ernment of this country, in the behalf of such person as the
 said Royal Highness had chosen and honored with the
 charge of a Governor, that as soon as the bearer of the
 said orders shall have let us see his power, then, and with-
 out any delay, we shall execute the said orders punctual-
 ly." This ill-worded document was quickly signed by all
 the six New York captains, and by four hundred of their
 men. Few of them really knew that they had actually
 signed a declaration that they would obey only the orders
 of the Prince of Orange, and not those of the crown of En-
 gland. It was, in truth, a thoroughly Dutch movement.
 Most of the signers were Hollanders, "a notion being put
 in many of their heads that, by a vote of Parliament, all
 charters and Privileges were to be restored to all places of
 the Dominions, and they be put in the same state as they
 were in the year 1660. And by consequence this govern-
 ment to be restored to the Dutch; and therefore no orders
 from the authority or crown of England, but only from his
 Royal Highness the Prince of Orange, would serve their
 terms." This absurd idea grew out of the inconsequential
 resolution of the English House of Commons in the pre-
 vious March, of which some inkling had reached America.*

3 June. If this idea existed, it was quickly corrected. The same
 afternoon, copies of the London Gazette containing the
 proclamations of William and Mary of 14 February, for
 continuing all "Protestants" in office in England, was re-
 ceived in New York. It was not yet known there that, in
 obedience to the dispatches brought over by Phipps and
 addressed to Andros, those sovereigns had been proclaimed
 at Boston, and that the English Privy Council had directed

* Col. Doc., iii., 584, 586, 594, 595, 630, 657-659, 660, 670; Doc. Hist., ii., 3, 4, 9, 66; Col. Rec. Conn., iii., 466; Hatch., i., 285, note; N. Y. H. S. Coll. (1868), 260, 288; Smith, i., 92, 389; *ante*, 541.

that "all persons" in the colonies should retain their offices. CHAP. XI.
 Two days afterward, Philip French, who had come from
 England in the same ship with Phipps, reached New York, 1689.
 and Leisler, who was now really at the head of affairs, 5 June.
 "made bold" to open and read publicly in the fort all the Letters
 letters which he had brought addressed to Nicholson, Bay- opened by
 ard, and Van Cortlandt.* Leisler.

Had Nicholson been equal to his position, he might have saved New York and her Dutch king from much trouble. But the lieutenant governor was a regular parade soldier. Without the directing mind of Andros, he shrunk into insignificance. His resident counselors were provincial gentlemen, conservative, and disliking public broils. Such controversies generally benefit impudent officials, who, if their schemes turn out well, make fortunes out of the plunder of their fellow-citizens. Such antagonism Nicholson and his advisers wished to avoid; but they had not the energy and skill to cope with the occasion, and so, by mere imbecility, they lost their opportunity, and left a vulgar, vigorous, and despotic usurper master of the field.

Leisler's proceedings at New York were quickly communicated to the leading insurgents in Connecticut, her next colonial neighbor. The German captain now in command of Fort James wrote to Major Nathan Gold, at Fairfield, that he wanted to have "one trusted man sent to procure in England some privileges," and, assuming to speak for New York, he added, "I wish we may have part in your charter, being, as I understand, in the latitude." This was just such a display of folly as an ignorant demagogue would exhibit. It was followed by an address of "the militia and other inhabitants" of New York to William and Mary, which gave "a tedious, incorrect, ill-drawn" narrative of recent provincial events, and promised entire submission to their majesties' pleasure. The address was signed by Captains Leisler, De Peyster, Lodwyck, De Bruyn, and Stuyvesant, their colleague Minvielle having declined to act further with them, and obtained his discharge from Nicholson. Copies of the address and other papers were sent to some 7 June.
Connecticut appeal-
ed to.
Leisler's
address to
William.
11 June.

* Col. Doc., III., 553, 554, 556-558, 595, 720; IV., 395; Doc. Hist., II., 4; Chalmers's Ann., I., 469; II., 29, 37; N. Y. H. S. Coll. (1868), 29, 37, 299; Hatch., I., 337, 337; Wood, 119; ante, 539, 555.

Colonial Dutch merchants in London, who were asked to deliver it to the king, and put in "a seasonable word" if they could.*

1689.

After Leisler and his adherents took possession of Fort James, the lieutenant governor lodged at the house of Counselor Phillipse, and kept up the show of his authority, which a little timely vigor would have secured. If, when he received the London Gazette announcing the accession of William and Mary, Nicholson had at once proclaimed them king and queen in New York, official forms might have been violated, but much provincial trouble would have been avoided. He knew that those sovereigns had been proclaimed at Boston on the arrival of Phipps with the Privy Council's dispatches for Andros. But Nicholson was a fair example of a straightforward English official bound by "red tape." He had no instructions from his immediate chief, and would not act without them. Subordinate to the imprisoned Andros, and hampered, perhaps, by his conservative provincial advisers, Nicholson did not dare to take the bold steps which the unfettered Leisler trod. Upon these steps the fortunes of New York were for some time to depend. The lieutenant governor unwisely determined to go to England, "to render an account of the present deplorable state of affairs here." In the mean time, he deputed Counselors Phillipse, Van Cortlandt, and Bayard "to preserve the peace during his absence, and until his Majesty's pleasure should be known." These three counselors wrote by him to Secretary Shrewsbury that news had come to New York from Barbadoes and Boston of the proclamation of William and Mary in England, and that they "were in daily hopes to be so happy as to receive the suitable orders for to observe the same solemnities here. But before we could be made partakers of those our happy desires, it has come to pass that, by the means and ill contrivances of some disaffected and dangerous persons, all manner of government is totally overthrown here, in like manner as to that of Boston." And they expressed their belief "that although orders from his now Majesty should arrive for the continuing of the persons formerly entrusted in the Government, that no such orders would be obeyed." Several confirma-

6 Jan'y.
Nicholson
resolves to
leave New
York.

19 June.
Letter of
the New
York Coun-
cil to the
English gov-
ernment.

* Col. Doc., III., 353, 584, 595, 600, 610; Doc. Hist., II., 3, 4, 9; Col. Rec. Conn., III., 453, 467; Smith, I., 82; N. Y. H. S. Coll. (1688), 270, 271, 290, 291.

tory documents accompanied this letter, among others a Latin certificate by Domine Selyns and his Consistory, of the good standing of Counselors Van Cortlandt and Bayard in the Reformed Dutch Church. Imis, the Episcopalian chaplain at Fort James, also provided himself with the attestation of the Dutch and French ministers at New York of his being a good Protestant, and accompanied Nicholson to England. But feeling ran so strong that they were refused a passage by the captains of the ships which carried out the papers sent by Leisler. Nicholson therefore bought a share in Dongan's brigantine, in which he had returned from sea, and after some delay set sail for London. Dongan, however, having suffered from sea-sickness, determined to remain for the present in New York.*

CHAP. XI.
1689.
11 June.
Imis.

Nicholson's desertion of his post gave Leisler an unexpected advantage. Assuming the lead, the bold German captain invited each of the counties and neighboring towns to send two delegates to New York on the 26th of June, to form "a Committee of Safety," as well as two men from each to guard the fort, the name of which was now changed again from "James" to "William," which it had borne in 1673. Leisler also tried to put out of office the Roman Catholic collector Plowman, to whom he was obliged to pay duties on his imported liquors, but his colleague-captains would not help him in this personal spite. Finding that Leisler answered all objections with "What, do you talk of law? the sword must now rule," and declared that all commissions under the authority of James the Second "were utterly void," the city magistrates prudently "resolved to be passive."†

12 June.
Leisler assumes the command.

13 June.

Connecticut having now proclaimed William and Mary, appointed Gold and Fitch to go to New York and give such advice and promise such assistance as might be necessary. Secretary Allyn also advised that no Roman Catholic be allowed to enter the fort, or keep arms within the city or government of New York. Learning that the Connecticut messengers were expected, Van Cortlandt and Bayard, with others, went to meet them at Colonel Morris's house, in

13 June.
Sympathy of Connecticut.

* Col. Doc., III., 582, 512, 535, 536, 538, 535, 599, 613, 617, 616, 618, 630, 637, 649, 655, 669, 675, 731; Doc. Hist., II., 2, 18, 38; Hurch., I., 387; Chalmers, I., 431; N. Y. H. S. Coll. (1868), 270-272, 288-292; Smith, I., 93; Wood, I., 105; *ante*, 555.

† Col. Doc., III., 600, 614, 611, 671; Doc. Hist., II., 3, 4; Wood, I., 105, 110; *ante*, 553.

Capt. Al. Westchester; but Gold and Fitch went directly on to the fort, and gave Leisler a copy of the printed English proclamation of the accession of William and Mary. The next morning, Mayor Van Cortlandt and his fellow-counselors asked the Connecticut delegates for their papers, so that the king and queen might be proclaimed in the city "with such honor and splendor as the occasion required." But Gold and Fitch replied that they had come "to the persons that had the fort in custody," and that they had already conferred with Leisler. A little while afterward the drum was beaten, and the king and queen were proclaimed by the German captain in the fort "in the most meanest manner." In the afternoon, Leisler, with Lodwyck, De Bruyn, and De Peyster, and their companies, marched from the fort to the City Hall, where the proclamation was repeated "with all the demonstrations of joy and affection they were capable of." Mayor Van Cortlandt, and his associate counselors Bayard and Phillipse, all of them Dutch gentlemen of New York, and well disposed toward William and Mary of Orange, were thus made to appear more lukewarm than Leisler's followers. A fire, timely discovered in the turret of the church in the fort, under which the powder was stored, was charged by Leisler as "a papistical design," and added to the excitement of the eventful day.*

William
and Mary
proclaimed
in New
York.

Leisler's
error.

24 June.

And so Leisler prevented the royal counselors in New York, who represented English sovereignty, from proclaiming William and Mary as they desired. Yet he failed in one important point. He did not publish the royal proclamation of the fourteenth of February, which confirmed all Protestant English officers in their places. It was not then known in New York that on the nineteenth of February all persons were confirmed in their offices in the English colonies; but Mayor Van Cortlandt, having received a copy, convened the municipal authorities at the City Hall, and published the royal proclamation continuing "all Protestants" in office. This made Leisler very angry, for it confirmed the authority of Phillipse, Van Cortlandt, and Bayard, all of whom were members and some of them officers of the Reformed Protestant Dutch Church. So he charged

* Col. Dec., iii., 589, 595, 601, 614-617, 641, 671, 738, 764; Dec. Hist., ii., 10, 12, 245; Col. Rec. Conn., iii., 252, 255, 467, 468; Trumbull, i., 377, 378.

that all magistrates who would not join with him were "Popishly affected." On the other hand, the Dutch royal counselors and their friends likened the German Leisler to the Italian Masaniello, and declared that "not one Papist, or popishly affected, throughout this their Majesty's Province, were in commission of the Peace, and that many whom he hath thus wickedly scandalized have always been of far greater reputation both in Church and State than himself." The next day the acting counselors removed the Roman Catholic collector Plowman, and appointed Counselor Bayard, Alderman Richards, with Thomas Wenham and John Haynes, merchants, to act in his stead as "Commissioners of the Customs" until other orders from England. Leisler, however, came with armed men and forcibly drove them out of the custom-house, in which he installed Peter de la Noy as collector. Bayard, the especial object of Leisler's rage, was obliged to escape secretly to Albany.

CHAP. XI.
1689.

25 June.

Leisler's
audacity.

28 June.

Leisler
summons a
Convention.

20 June.
Suffolk, Ulster, and Albany will not meddle.

In the mean time, some of the counties and towns, in compliance with Leisler's invitation, had chosen delegates to a Convention. Brooklyn, Flatbush, Flushing, Newtown, Staten Island, Orange, Westchester, and Essex in New Jersey, each sent two, while New York was represented by Peter de la Noy and Samuel Edsall. The delegates were "the greatest Oliverians in the Government," some of whom openly declared that "there had been no legal king in England since Oliver's days." Not a third of the inhabitants of the province "condescended" to vote. Most of the towns in Queens and New Jersey, and all in Suffolk, Ulster, and Albany, would "not meddle themselves." The people of Suffolk county not only refused, but asked Connecticut to take them under her jurisdiction, because, after observing Leisler's conduct in seizing the fort, they "distrusted the purity of his motives." Connecticut, however, resolved to keep safely within her charter boundary, and declined to exercise authority in Long Island.†

At the appointed day, Leisler's Convention met at the

* Col. Doc., III., 506, 508, 602, 603, 604, 608, 609, 617, 641, 642, 661, 668, 671, 672; Doc. Hist., II., 245, 246; Sylvius, xxvii., 29; ante, 539, 540.

† Col. Doc., III., 507, 617; Wood's Long Island, 105, 108, 110; Thompson, I., 164; Smith, I., 42, 68, 95. The towns in Suffolk county sent a "representation" to Connecticut at this time, of which Smith speaks with personal knowledge. I have endeavored to recover it, but neither Mr. Trumbull nor Mr. Hoadley, of Connecticut, to whom I applied, have been able to find a copy. Compare N. Y. H. S. Coll. (1869), 241-243.

at the fort in New York. It had not, and could not have, any proper authority. The Connecticut agents, Gold and Kitch, in a pompous letter, offered their advice, and promised that the government at Hartford would assist Leisler and his friends, if necessary. Two of the delegates, of "a clearer discerning than the rest, perceiving that the main drift was to set up Leisler and make him commander in chief," withdrew after the first meeting. The remaining ten, Richard Denton, Teunis Roelofse, Jean de Marest, Daniel de Klercke, Johannes Vermilye, Samuel Edsall, Peter de Lanoy, Mathias Harvey, Thomas Williams, and William Lawrence, formed themselves into a "Committee of Safety." Abraham Gouverneur was chosen to be its clerk, and a record of its proceedings was begun. The next day the ten members of the committee signed a commission appointing Leisler to be "Captain of the Fort at New York 'till orders shall come from their Majesties, and that the said Captain Jacob Leisler shall have all aid and assistance, if need be and demanded by him, from city and county, to suppress any foreign enemy and prevent all disorders which evidently may appear."

27 June.
Committee of Safety
Gouverneur its
clerk.

28 June.
Leisler captain of the
fort.

Leisler
seizes au-
thority.

Half Moon.

The parentage of this document is obvious. It is said to have been signed under a threat of Leisler that, "unless they had made him soo, he would have departed the place in one of his vessels, and turned privateering." Yet it served as a pretext for the fraudulent authority which Leisler now usurped. He cleared vessels as "Captain of the Fort." He seized the public money and organized a company of soldiers, of which he made Churcher lieutenant, and Stoll, the "Dram-man," ensign and commissary. To this band Connecticut contributed ten men; and she also sent two cannon from New Haven to strengthen the fort at New York. A new semicircular battery, for some time known as "Leisler's Half Moon," was soon afterward built "behind the Fort, upon the flat rock to the westward."*

Thus passed away a summer's month in tolerable quiet at New York. The city was now under a military despotism, "the people being overawed by the strength of the

* Col. Doc., iii., 580, 590, 596, 597, 604, 603, 609, 615, 617, 620, 630, 643, 644, 670; iv., 621; Doc. Hist., iii., 5, 7, 10, 11, 13, 15, 18, 250, 240; Col. Rec. Conn., iii., 255, 467, 468; Conn. Minutes, ix., 171, 174; Wood, 105, 195, 110; Thompson, i., 104; Smith, i., 42, 63, 95; Miller's Map, 1635; Riker's Newtown, 117; N. Y. H. S. Coll. (1808), 293, 294.

Fort." An actual dictator, Leisler sent out his Sergeant Stoll "to disarm the papists;" and all were counted as "Papists" who would not recognize the German captain. Fearing that the populace "would hale the magistrates by the leggs from the Town Hall," the Mayor's Court of New York adjourned for a month. Bayard had already retired to Albany, and his two colleagues, Phillipse and Van Cortlandt, could do no more as royal counselors than to write to Blathwayte, the secretary of the Plantation Committee, that "all is in a confusion." As none of the city magistrates would administer the oaths of allegiance in the fort, Leisler was obliged to send for Gerardus Beekman, a Long Island justice, to perform that service. Word now came that Andros had escaped from his prison at Boston to Rhode Island, and that Dongan had landed at New London to join him there, "with a design to sell Martin's Vineyard." This made Leisler jealous of "a bad design," and MacGregorie, who had just returned to New York, "to requite Dongan for his favors," offered to go with a guard and bring him a prisoner to the fort. Andros, however, was soon retaken, and carried back to his prison near Boston. Meanwhile four Cambridge "scholars" came with Perry, the postman, across the Brooklyn ferry, and knowing only Brockholls and Lockhart, who had served in Maine, Leisler chose to suspect them as "Papists." They were accordingly arrested; their letters were seized and examined; the drums beat an alarm, and in a short time over four hundred of Leisler's adherents appeared "courageously in arms." Several prominent citizens, disaffected toward Leisler, were arrested and imprisoned without warrant; but the traveling students from Boston, being soon found to be "honest men," were released, and the train-bands were dismissed. The ten members of Leisler's "Committee of Safety," under his inspiration, seized the opportunity to take a bold step. They signed and sealed a commission declaring that, "it being uncertain whether the orders shall come from their Majesties, that Captain Jacob Leisler is hereby appointed to exercise and use the power and authority of a Commander in Chief of the said Province, to administer such oaths to the people, to issue out such warrants, and order such matters as shall be necessary and requisite to be done for the preser-

CHAP. XI.

1689.

2 July.
Leisler's
despotism.
5 August.

2 August.

16 August.
Boston
"scholars"
arrested.

16 August.
Leisler
com-
mis-
sioned com-
mander-in-
chief by his
tools.

CHAP. XI. vation and protection of the peace of the inhabitants, taking always seasonable advice with militia and civil authority, as occasion shall require."*

A more impudent document it would be difficult to find in the colonial annals of North America. By ten persons, assuming to represent a few of the towns near the metropolis, Leisler was invested with dictatorial power over the province of New York. This appointment has been pronounced to be "in its form open to censure." It was much more: it was totally unjustifiable. No adequate power had given authority to Leisler's "Committee of Safety," which assumed to make him the military dictator of New York.

23 August.
Leisler
writes to
William.

But Leisler now wrote his own story of affairs to the king and queen, which, while stating that he had been chosen in June to be "Captain of the Fort" in the metropolis, avoided any allusion to his absurd commission as "Commander in Chief" of the whole province of New York. This letter, with other papers, was sent to London by Leisler's dramsop ensign, Stoll, whom Matthew Clarkson, a brother-in-law of the German demagogue's former colleague, Captain Lodwyck, accompanied thither.†

25 August.
Jacob Mil-
borne.

A few days afterward Jacob Milborne returned to Manhattan from Holland, where he had been recently staying. Milborne had already been notorious in New York affairs, and in 1687 he had become a partner with the Catholic Brockholls in commercial ventures, which had obliged him to go back again to Europe. Milborne's elder brother, William, was a noisy Anabaptist minister in Boston, who had taken an active part in overthrowing the government of Andros. Milborne had an "affected, ambiguous way of expressing himself," and seeing that his old friend Leisler was now at the head of affairs in New York, Milborne at once entered cordially into his views. The English Revolution, Milborne suggested, was a full justification of all that had been done in New York. To all objectors it was now answered, "By what law, warrant or commission, did the Prince of Orange go into England, and act as he hath done?"

Milborne's
bad advice.

* Col. Doc., iii., 506, 608-610, 613-618, 620, 672, 673, 764; iv., 213, 214; Doc. Hist., ii., 6, 14, 15, 16, 19; Hutch., i., 392, 393; Barry, i., 519; Bancroft, iii., 52; N. Y. H. S. Coll. (1848), 295, 296.

† Col. Doc., iii., 609-618, 620, 659; iv., 213, 214; Doc. Hist., ii., 16, 229; Smith, i., 99; Chalmers's Rev. Col., i., 213; Bancroft, iii., 52; N. Y. H. S. Coll. (1868), 297, 298.

And how do you think King William can take that amiss in us, who have only followed his example?" Abraham Gouverneur, the youthful clerk of the Committee of Safety, not to be outdone, declared that "Leisler had carried the Government of New York by the Sword, and had the same right to it as King William had to the Crown."* CHAP. XI
1689.

If New York had then been an independent sovereignty, as England was, the comparison would have been fair. But colonial New York did not resemble sovereign England; nor was the German captain, Jacob Leisler, the counterpart of the Dutch William of Orange. Orders from England, which had been sent to, but withheld from, Andros at Boston, were anxiously expected in New York; and the absence of those orders gave a rare opportunity to a political mountebank, of which Leisler did not fail to take advantage. Fallacy of
Leisler.

Under the inspiration of Milborne—and ignorant that William had confirmed "all" colonial officials, Protestant or Catholic, in their places—Leisler now ordered the several counties in the province to elect civil and military officers. "Some counties accordingly did, by the appearance of small numbers, turn out the Justices of the Peace, and military officers, and chose new; a method never formerly allowed of." Most of the counties disregarded Leisler's order; and in those in which elections were held, none but his own partisans were chosen. A faction was thus represented—not the people of New York. It was indispensable to Leisler's success that the metropolitan city should be under his control. Dongan's charter had appointed the Feast of Saint Michael the Archangel, or Michael-mas, as the time to choose its aldermen and Common Council. On that day the city wards all voted, and Leisler succeeded, "right or wrong," in returning his son-in-law, Robert Walters, as an alderman. The charter, however, required that the mayor and sheriff of the city should be annually appointed by the governor and council, and the clerk by the governor, and that they were to remain in office until others should be duly appointed in their places. The Com- September.

29 Sept.
Michael-
mas in
New York.

* Col. MSS., xxxv., 170, 190-207; xxxvi., 28; Col. Doc., iii., 201, 282, 621, 674, 680, 727, 735; iv., 621; Doc. Hist., ii., 42; iii., 527-530; Dunlap, i., 161; *note*, 196, *note*, 200, 321, 356. Milborne was not at this time "Leisler's son-in-law." He was not married to Mary Leisler until 3 February, 1691: *Pass Book*, iv., 71; *post*, 623, *note*.

Chas. XI. mittee of Safety, however, ordered "all the Protestant freeholders" in the city to elect these officers. An election was accordingly held, at which "none but about 70 or 80" persons voted; and Peter de la Noy was returned as mayor, Johannes Johnson sheriff, and Abraham Gouverneur clerk—all devoted to Leisler. If the franchise had not been restricted to "Protestant freeholders," this election by a very small minority might be said to have been the first choice of a mayor of the city of New York by its people. But

1686.
Charter.
Leisler's
charter
election in
New York.
14 October. Leisler's farce was not a popular election. On the birthday of James the Second, as required by Dongan's charter, Leisler issued a proclamation confirming the persons so elected in their several offices. It was a curious inconsistency that he should thus have scrupulously observed that charter in regard to its two marked days—the Catholic feast of Michaelmas and the birthday of James the Second—while he violated it otherwise. But Leisler's logic was very peculiar. His object was to gain power by any means. Accordingly, he endeavored to imprison Mayor
16 October. Van Cortlandt, who was obliged to fly privately out of the city, while his wife, "the Mayoress," was insulted in her own house by Leisler's rude followers, who came to demand the municipal records and seal.*

Feeling himself secure in the metropolis, where he had strengthened Fort William with supplies of powder from Burlington and Philadelphia, Leisler burned to extend his sway over the other counties which had refused to recognize his assumed authority. Albany, the only other city in the province, and its neighborhood, had long been controlled by a few prominent persons who now held office under Dongan's charter of 1686. Schuyler, the mayor of Albany, and his brother-in-law, Livingston, its clerk, and Wessels, its recorder, were appointed by the governor; while its aldermen, Wendell, Bleecker, Van Schaick, and others, were elected by the citizens, as in New York. Most of the Albany officers were Hollanders; Livingston, the clerk, was a Scotchman, and Pretty, the sheriff, an Englishman. They were all Protestants, and most of them were members of

Leisler at-
tempts Al-
bany.

* Col. Doc., III., 620, 645, 655, 657, 671, 675, 684; Doc. III-4., II., 21; Minutes of N. Y. Common Council, I., 236, 241, 247; Vol. Man., 1859, 201, 230, 486; 1868, 19, 20; Dunlap, I., 156, 157; ante, 438, 540. Cornelius W. Lawrence was the first citizen who was elected mayor of the metropolis by its people in 1834.

the Reformed Dutch Church, of which Schaats and Del-
 lius were the collegiate domines. None of them were at
 all "popishly inclined." When the news of the landing
 of the Prince of Orange reached Albany, the inhabitants,
 being generally Dutch, were overjoyed at the prospect of
 his becoming king. But Livingston, who owed much of
 his estate to official emoluments, dreaded the idea of a
 change, and, like Nicholson at New York, openly declared
 that the prince was at the head of "a parcell of rebels,"
 and would "come to the same end as Monmouth did."*

Connecticut now sent Captain Jonathan Bull, of Hart-
 ford, "to enquire how matters stand between them of Al-
 bany and the Indians." Bull was invited to meet the offi-
 cers and magistrates, who were all "inquisitive for news;"

but as he did not wish to speak freely before Baxter, the
 commandant of the fort, who was an avowed papist, he
 showed his "printed papers," containing the prince's de-
 clarations, first to Captain Bleecker, who did not agree with
 Mayor Schuyler in keeping "all intelligence from the peo-
 ple." The next day being Sunday, the news was generally

known, and Baxter went down to New York, leaving the
 fort in charge of the Albany city officers. Bull then visit-
 ed Schenectady, where the people were "much rejoiced
 with the news." A few days afterward he was present in

the Albany Court-house, at a conference with the Mohawks,
 who renewed the old covenant chain, and, on hearing the
 news of the revolution in England, promised "neither to
 speak with the French, nor hear the French speak to them."

At the same time, they showed their preference for the
 Dutch over the English. Addressing the Albany officers,
 they said, "We hear a Dutch prince reigns now in En-
 gland; why do you suffer the English soldiers to remain in
 the Fort? Put all the English out of the town. When the
 Dutch held this country long ago, we lay in their houses;
 but the English have always made us lie without doors."

The next month the Senecas, Cayugas, Onondagas, and
 Oneidas came to Albany and renewed the "old covenant"
 which was first made many years ago with Jaques Eelkens,
 "who came with a ship into their river. Then we first be-

CHAP. XI.

1689.

April.

18 May.

Bull, of
Connecti-
cut.Bleecker
and Schuy-
ler.

19 May.

24 May.

27 June.

* Doc. Hist., II., 23, 35, 114, 115, 116; Col. Doc., III., 747; Mansell, II., 72, 92, 100; N. Y. H. S. Proc., 1846, 104; Dunlap, I., 164; ante, 542.

came Brethren," they said, "and continued so 'till last fall, that Sir Edmund Andros came and made a new chain, by calling us Children. But let us stick to the old chain, which has continued from the first time it was made, by which we became Brethren, and have ever since always behaved as such. Virginia, Maryland, and New England have been taken into this silver chain, with which our friendship is locked fast. We are now come to make the chain clear and bright."*

The city of Albany.

At this time the city of Albany was not much more than a large stockaded village, of which the two chief streets crossed each other at right angles. The one, "Handelaer's Straat," or Market Street, ran nearly north and south, skirting the river, proverbially apt to overflow its banks in times of great flood. The other, running about east and west, a little way up a steep hill, was called "Yonkheer's Straat," now known as State Street. About half way up the hill stood the fort, just outside one of the city gates, of which there were six. Albany had no large foreign commerce like New York, but she was the centre of the great internal traffic of the province with the native savages: Her importance was only second to that of the metropolis, and her magistrates always maintained their official dignity. As soon as they received from New York a copy of the proclamation, they formed the citizens in a procession and marched up to the fort, where William and Mary "were proclaimed in solemn manner in English and Dutch," and the guns were joyfully fired. The ceremony was repeated at the City Hall, and "the night concluded with the ringing of the bell, bon fires, fire works, and all other demonstrations of joy."†

1 July.

5 July.
Bayard at Albany.

A few days afterward Bayard arrived at Albany, and "found most part of the inhabitants inclined to peace and quietness, and to maintain their civil government 'till orders do arrive from their Majesties." Leisler had endeavored to gain over the people of Albany and Ulster, and threatened to bring some of their magistrates prisoners to

* Col. Doc., iii., 550, 560, 592, 593, 599, 645, 775; iv., 902; Golden, i., 160, 161, 168, 172; Col. Rec. Conn., iii., 429-433; Munroe, ii., 166, 167; *ante*, vol. i., 18, 42, 55, 67, 81, 88, 116, 152, 229-231, 243; vol. ii., 518, 562. Golden, being an inveterate Scotchman, could never get rid of acrimony when speaking of the Albany Dutch.

† Dec. Hist., ii., 5; Munroe, ii., 52, 105; iii., 59; iv., 200.

New York. But those counties disapproved of the "mu-
tinuous proceedings" at New York, and agreed to remain
steady, and maintain their local governments pursuant to
the king's proclamation of 14 February. The Albany mag-
istrates declared "that they were not in any wise subordi-
nate to the city of New York, nor the power then exercised
therein."*

CHAP. XI.

1689.

A convention of civil and military officers was now held
at Albany, at which it was "Resolved that all public affairs
for the preservation of their Majesties interest in this city
be managed by the Mayor, Aldermen, Justices of the Peace,
Commission Officers and Assistants of this city and county,
until orders shall come from their most Sacred Majesties."
In taking this position, Albany, under her regular officers,
was surely as justifiable as was the metropolis under Leis-
ler. It was also resolved that, as there was news of a war
between England and France, "the gentlemen now met at
this Convention do each bring a gun, with half a pound of
powder, and ball equivalent, to be hung up in the Church,
in the space of three days; and that the traders and other
inhabitants be persuaded to do the same, to make up the
number of Fifty, to be made use of upon occasion." As
some of the citizens, alarmed at the rumor of a French at-
tack, were preparing to leave Albany, by which "bad ex-
ample of such timorous and cowardly people, others will be
discouraged to stay and defend their Majesties interests in
this frontier part of the Province, and forasmuch as there
is no settled government for the present in this Province,"
the Convention ordered that no able-bodied inhabitant
should leave the county for the next three months without
a pass from a justice of the peace. News of what the
French and Indians had just done in Pemaquid was now
published, so that all might "be upon their guard." The
Onondagas having sent an ambassador with an account of
what had lately happened in Canada, the Convention ad-
vised their "Brethren" not to be "imposed on by the idle
and nonsensical speeches of the Governor of Canada," and
desired them to send to Albany some Iroquois sachems and
warriors, "whose feet shall be well greased."†

1 August.
Albany
Conven-
tion.

7 August.

21 August.
Onondagas
soothed.

23 August.

* Col. Doc., iii., 506, 508, 509, 604, 620, 645, 745; Doc. Hist., ii., 28.

† Doc. Hist., ii., 11-13, 46-50; Dunlap, i., 155; Mansell, ii., 108, 109.

CH. XI.

1689.

The Aben-
aquis and
New York
Indians.Sympa-
thies of the
Iroquois.Millet an
Oneida sa-
chem.

The news from New England and Canada was, indeed, startling enough. Instigated by Denonville, the Abenakis, or Onoganques, and the Panococks, or Ouragees, had surprised Dover, in New Hampshire, and afterward Pennaquid, in Maine, whence the garrisons established by the military prudence of Andros had been withdrawn by the selfish jealousy of Massachusetts insurgents. The New England colonies were filled with apprehension, which was increased when they learned that the Abenakis had tried to persuade the New York Iroquois and Schaghtacooks to "take up the axe with them against all the Christians on this Continent." It was the unconquerable desire of the native red American to avenge the injustice of white European invaders of his territory. Of this injustice New England was peculiarly guilty. New York had always treated her aborigines kindly. The Iroquois naturally swung toward their genial friends. By the same impulse they became the bitter enemies of the French Canadians, whose governor had sent some of their most stalwart warriors in chains to row with felons and long-suffering Huguenots in the galleys of Marseilles. And so they besieged Fort Frontenac, where Denonville had treacherously seized their countrymen. Father Millet, who had been recalled from Niagara, was chaplain of the French post. Lured outside of its walls, he was taken prisoner and carried to Oneida, where he had formerly ministered. Saved from death by a Christian squaw, he was named *Genherontatic*, or "the dead who walks," and adopted as a brother by Gannasatrion, or Tareha. Soon afterward Millet was naturalized as an Oneida Iroquois, and made a sachem in place of their deceased Otasseté.*

These events were followed by the severest blow that Canada had yet felt. During the spring and summer Denonville had remained ignorant of the purposes of the Iroquois, as well as of those of his king. Callières was in France, and there was a general want of vigilance and subordination among the Canadians. Unconscious of danger, Denonville had gone, with his wife, from Quebec to Montreal. In the gray of a summer morning, after a tem-

* Col. Doc., III., 610, 611, 621, 714, 724, 783; iv., 349; ix., 387, 440, 665; Charlevoix, II., 345, 415-419; Huet., I., 396; Belknap, I., 193-206; La Potherie, III., 248; Colden, I., 60, 101, 110, 119, 188; Shea's Missions, 277, 319, 325; Garneau, I., 505; Bell, I., 322; Williamson, I., 550-555; Millet's letter of 6 July, 1691, 9-42; an's, 491, 442.

pest of hail and rain, fifteen hundred Iroquois warriors, who had quietly traversed Lake Saint Francis, suddenly landed from their canoes at Lachine, the upper end of Montreal Island. Most of the inhabitants were asleep; the men were killed at once, the women and children with greater deliberation and cruelty. In an hour two hundred French colonists perished, and all the houses in Lachine were burned. Montreal, only three leagues off, in consternation awaited an attack. French parties were sent out, and defeated or captured. At length the Iroquois retired, after losing only thirteen warriors, and ravaging nearly all the island of Montreal, and killing a thousand French Canadians.*

CHAP. XI.

1689.

26 July.

5 August.

The Iro-

quois rav-

age La-

chine.

Denonville was almost stupefied by this terrible calamity. Most of the "praying Iroquois" at the Falls of Saint Louis and the Prairie de la Madeleine retreated to Montreal. The victorious warriors sent "very insolent propositions" to Denonville for the demolition of Fort Frontenac, and he accordingly ordered it to be evacuated and blown up. The order was obeyed; a slow match was put in a mine under the bastions; three French barks on Lake Ontario were burned; and Valrennes, with his garrison, went down the rapids of the Saint Lawrence to Montreal. But the match in the mine went out, and the Iroquois soon took possession of the deserted fort, where they found a great quantity of powder and other French property worth twenty thousand crowns.†

Denonville
orders Fort
Frontenac
to be de-
molished.

The news from Canada caused great anxiety in Albany, where every effort was made to keep the Iroquois friendly. The near Mohawks asked and were granted assistance of 2 Sept. men and horses to draw the heaviest logs for stockading their "new castle of Tionondage, which they removed an English mile higher up." An express was also "sent down 4 Sept. to Captain Leisler and the rest of the militia officers of the Albany and the City and County of New York" for help of men, money, Iroquois. and ammunition "for the securing of their Majesty's fort

* Col. Doc., ix., 429, 431, 432, 434, 435; Mass. H. S. Coll., xxxv., 219; La Hontan, i., 193, 194; La Potherie, ii., 229; Hil., 58; Garnes, i., 272-274; Bell, i., 295-297; ante, 520. Charlevoix, ii., 402, errs in stating this attack on Lachine to have been made on the 25th (instead of the 5th) of August; and Colden, i., 91 (whom Smith follows, i., 83), blunders still more, antedating it in 1685.

† Col. Doc., ix., 436-438, 441, 443, 464; Charlevoix, ii., 406-409; La Hontan, i., 195; Quebec MSS. (ii.), v., 28; Colden, i., 92; Documentary History, ii., 77, 78; Miller's letter of 6 July, 1691, p. 45.

and the out plantations of this County." But the German captain in New York would not recognize the Albany Convention. The messenger reported that Leisler said "he had nothing to do with the civil power; he was a soldier, and would write to a soldier." Accordingly, he addressed a letter to Captains Wendell and Bleecker, declining to send men or money to Albany, and desiring them to "induce the common people to send two men to assist them in their Committee." Finding that Leisler was playing demagogue, and would not assist them, the Albany Convention raised money, sent down to the Esopus Indians on the river, and also wrote to Massachusetts and Connecticut, asking each to send one hundred men "to be in garrison here this winter, to secure their Majesties Fort and the frontiers of this County against the French or their Praying Indians."*

Meanwhile Pynchon, with Savage, Belcher, and Bull, had visited Albany as agents of Plymouth, Massachusetts, and Connecticut, to engage the Iroquois against the Eastern savages, and were "kindly treated by the gentlemen there," who quickly summoned the Five Nations to a conference. But the New England agents failed in their endeavor to commit the Iroquois delegates to a war with the Abenakis and Panocoeks. The Mohawk orator Tahajadoris, in an adroit speech, declined to attack the Eastern savages, who had done the Five Nations no harm, and desired their "Brethren of the three colonies" to send men for the security of Albany against the French, where "the Christians have victuals enough for their entertainment." The next day, at a private conference, the Iroquois delegates assured the Albany officers that, "if the French shall attempt any thing this way, all the five nations will come to your assistance; for our Brethren and we are but one, and we will live and die together. We have desired a hundred men of our Brethren of Boston to assist us here, because this place is most exposed." And they all joined in singing, and crying out "Courage! courage!"†

On the return of the New England agents, Secretary Al-

* Doc. Hist., ii., 12, 20, 50-55, 88; Munsell, ii., 108; Dunlap, i., 153; Mass. H. S. Coll., xxxv., 212, 217, 218; *ibid.*, 287, 317.

† Doc. Hist., ii., 19, 51; Col. Doc., iii., 611, 621; Colden, i., 106-111; Smith, i., 99, 100; Plymouth Records, vi., 213; Mass. H. S. Coll., xxxv., 205, 212, 217, 218. Miller's letter of 6 July, 1691, 40-45, gives an interesting account of what happened at Oneida when the Albany messengers came to summon that nation to the conference.

lyn, of Connecticut, notified Leisler that the ten soldiers of that colony doing duty in New York would be transferred to Albany. Governor Treat also wrote to the Albany Convention that eighty Connecticut soldiers would be sent there, under Captain Bull, if the Convention would pay the wages of the commissioned officers. This was agreed to, "Provided they be under the command and obey such orders and instructions as they shall receive from time to time from the Convention of this City and County;" and Captains Van Rensselaer and Tennise were sent to return "heartly thanks" to Connecticut. But Massachusetts, pleading "their present circumstances of things," declined to assist Albany.*

CHAP. XI.

1689.

10 October.
15 October.24 October.
Connecticut in favor of Albany.

25 October.

On the day appointed in its charter, the city of Albany duly installed its aldermen and other municipal officers, at least as regularly as New York had done. Lieutenant Thomas Sharpe, the commandant of the fort, and all his soldiers, also took oaths of fidelity to William and Mary. To stop the "false aspersions" of Leisler and his friends, who called them "Jacobites," the civil and military officers and citizens of Albany also swore allegiance to their new sovereigns. Three out of the four militia captains at Esopus declared that they would help Albany in case of need.†

14 October.
Albany officers installed.

19 October.

25 October.
Esopus.

There were now two rival local governments within the province of New York. The one was as rightful as the other. But the independent attitude of Albany galled the ambitious German captain, whose few subservient instruments had undertaken, in August, to declare him "commander in chief" of the whole province. Leisler therefore prepared a force of fifty-one men, under the command of Milborne, to go to Albany and take possession of its fort for himself. Hearing of this, the Albany Convention, through Alderman Levinus van Schaick, notified him that they would willingly accept any re-enforcements he might send for the defense of the country, "Provided they be obedient to, and obey such orders and commands as they shall from time to time receive from the Convention; and that by no means will they be admitted to have the com-

Rival governments in New York.

26 October.
The Albany ideas.

* Doc. Hist., ii., 20, 21, 53, 56; Trumbull, i., 579; Mass. H. S. Coll., xxxv., 217, 218; N.Y. H. S. C. II. (1868), 28, 29, 68.

† Doc. Hist., ii., 56, 57, 58; Munsell, ii., 199, 110; Dunlap, i., 159; ante, 429.

1659. Great Al-
bany demand of their Majesties' Fort in this city, which we intend, by God's assistance, to keep and preserve for the behoof of their Majesties William and Mary." The logic of this paper was conclusive. By the same right that the "Committee of Safety" exercised local power in New York, the "Convention" exercised it in Albany. As to formal regularity, Albany was perhaps more rightful than New York. But this made no impression on the infatuated
- 15 October. Leisler and his followers. They wrote letters to Albany, Kinderhook, and Schenectady, urging submission to the captain in New York; and some of them were stupid
- 2 Novem. enough to try to persuade the Dutch freeholders that "all lands, plantations, houses and lots, which were escheated since the year 1660, are again restored, by act of Parliament." Leisler himself declared "that they of Albany should bring their charter here, if they have one;" and that Lieutenant Sharpe and Sergeant Rodgers, of its garrison, who had sworn allegiance to William and Mary, "were Papists." Milborne, who was well "acquainted with the place and people," where he had formerly lived, was accordingly dispatched to Albany with three sloops full of armed men and ammunition.*
- 4 Novem. When the Albany Convention learned from Alderman Van Schaick that the German demagogue at New York meant to turn the government of their city "up-side down," and get possession of their fort, they acted. The citizens of Albany were summoned "by bell-ringing," and a declaration was signed that they would not, in this conjuncture, suffer "them of New York, or any person else," to rule over Albany, of which the Convention was the "only lawfull authority." "To prevent all jealousies and animosities," Mayor Peter Schuyler—as thorough a Dutchman as he was a gentleman—was appointed to the chief command of the fort, with the loyal Lieutenant Sharpe under him; and the principal burghers of Albany with great pomp led Schuyler up the hill to the little fortress, where he was "with all cheerfulness received by the officers and soldiers of their Majesties' garrison."†
- 5 Novem. Albany acts.

* Doc. Hist., ii, 14, 15, 23, 57, 59, 60, 62-67; Col. Doc., iii, 645, 646, 655, 675; Smith, i, 95, 96, 97; Dunlap, i, 159, 161; ante, 300, 375, 376.

† Doc. Hist., ii, 60, 61, 62, 63; Smith, i, 96; Dunlap, i, 159, 160.

The next morning the three sloops sent up from New York, under the command of Milborne, were deseried at Albany, anchored near "Martin Gerritsen's Island," a little below the city. Leisler's emissary demanded, and was refused, admission into the fort, of which Mayor Schuyler was in command. Milborne then came to the City Hall, where he harangued the people "in a long oration, with a high style and language," telling them that all that had been done in the reign of King James the Second was illegal—"yea, the charter of Albany was null and void." This exposition was characteristic of the demagogues who had just gained local power in the city of New York by a pretended observance of a similar charter granted by the same governor. Wessels, the recorder of Albany, quietly answered that "there was no arbitrary power here." The next day, which was Sunday, "after the second sermon" in the old Dutch church, Milborne appeared before the Convention and produced his commission, signed by Leisler and his Committee of Safety. Recorder Wessels replied "that such a commission granted by a company of private men" in New York was of no force in Albany, "but that if he could show a commission from his Majesty King William," he would be willingly obeyed. Milborne then "made a long oration to the common people which were got together in the City Hall," condemning all things which had been done in the reign of King James, especially Dongan's charter to Albany. He was answered "that if all things were null and void which were passed in King James's time, then the inhabitants were in a desolate condition," and their land titles good for nothing; that there had been "a free election according to the charter;" that his only aim was "to raise mutiny and sedition;" and that if things were carried on as he would have them, "all would run into confusion with the Indians, and all authority be turned upside down, as in many parts of the government was done, to which the Convention by no means could condescend." Milborne was therefore told "to desist from such discourse, for that they would dispute no more with him about it, leaving all 'till a lawful power came, not acknowledging him to have any."*

CHAP. XI.

1689.

9 Novem.
Milborne
at Albany.

10 Novem.

Good reason-
ing of
Albany.

* Doc. Hist., ii., 63-68, 72; Col. Doc., iii., 646, 647; Smith, i., 98; Dunlap, i., 163, 161.

1089. Defeated in the Convention, Milborne plied the people
 out of doors, about one hundred of whom, chiefly youths
 and not freeholders, met tumultuously at the City Hall and
 chose Jochim Staats, a lieutenant in Captain Wendell's Al-
 bany company, to command the men whom Leisler had
 sent from New York. Milborne also wrote to the Conven-
 tion that Leisler's New York committee had authorized him
 to "order the affairs at Albany." The next day the Con-
 vention met at Captain Jan Jansen Bleecker's house, and
 refused to accept the men from New York unless they
 should be under the command of the Convention. Mayor
 Schuyler also explained to the burghers at the City Hall
 the reasons why he had seized the fort, which were to de-
 feat Leisler's design "to make an absolute change of gov-
 ernment, to carry some persons prisoners to New York, and
 so to make a general disturbance among the people, and
 force us to comply with their new-fashioned government."
 These reasons were satisfactory to the burghers, who thought
 that their Convention had done rightly.

15 Novem. Milborne now resolved on a bold step to get the mastery.
 Assembling his company in arms, he marched out of the
 city gate up to the fort, of which he demanded possession.
 Schuyler answered that he held it for their majesties, and
 ordered him away "with his seditious company." Mil-
 borne attempted to enter, and, "having one foot in, was
 thrust out." He then withdrew his company inside of the
 city gate, before which he put up the king's Jack, ordered
 his men to load, and then "read a paper." Upon this, a
 protest by Schuyler, on behalf of the Convention, was read
 "off one of the mounts" of the fort, directing Milborne and
 his seditious troops to withdraw at once. These move-
 ments were watched by a company of Mohawks standing
 on the hill near the fort, who charged their guns, and sent
 word to Schuyler that if the New York soldiers came out
 of the city gates "in a hostile manner to disturb their
 Brethren in the Fort," they would fire on them. At Schuy-
 ler's request, Domine Dellius and Recorder Wessels went
 to pacify the savages; but they insisted on sending the dom-
 ine to tell Milborne that if he came out of the city gates

Leisler's
 emissary
 failed at
 Albany.

"Martin Gerritsen's Island," or the old "Castle Island," just below Albany, was so named
 after Martin Gerritsen van Bergen, to whom it was leased in 1663.

they would fire on him. Upon this, Leisler's baffled emissary "marched down the town and dismissed his men."* CHAP. XI.
1689.

Finding that he could do nothing at Albany, Milborne, after signing a contract with some "private but extreme active men" for the support of his soldiers, prevailed on them to accept Staats as their captain, and went back to New York, leaving his company in great confusion. On his way down the river he stopped at Esopus; but the people of Ulster county, being informed of his defeat at Albany, dispatched him quickly from there "for to give an account of his misfortune to his commander Leisler and the committee that sent him."† 16 Novem.
Milborne
at Esopus.

A few days afterward Captain Bull reached Albany with eighty-seven men from Connecticut, who were "extremely well accepted." As it was necessary to garrison Schenectady, Lieutenant Enos Talmage, of Captain Bull's company, was sent there with twenty-four men. Staats refused to assist with any of his New York soldiers, but went to Schenectady himself, to create faction. Considering "the lamentable condition" of Albany, the Convention ordered that Wednesday, the fourth of December, should be observed as "a day extraordinary for fasting and prayer."‡ 25 Novem.
Bull at Albany.
29 Novem.
27 Novem.
Fast-day
at Albany.

Anxious to visit New York, where his only son was very ill, Bayard had meanwhile written to the justices of the peace there, offering to answer any complaint against him. They replied that "the sword now ruled in their city," and that they could not protect him against Leisler. Upon this, Bayard, as their colonel, wrote to De Peyster and De Bruyn, two of the captains in his regiment, declaring that Leisler and his associates, without "any the least shadow of Authority" from William and Mary, having "subverted all manner of Government by law established" in the city of New York, it was his duty, as a royal counselor and their own colonel, to require them to "desist from any ways counselling, aiding, assisting, or abetting the illegal proceedings of the said Jacob Leisler and his associates," because the commissions issued by Andros, who represented the crown of England, were "in full force, notwithstanding

* Doc. Hist., iii., 69-73; Smith, i., 95; Dunlap, i., 162.

† Col. Doc., iii., 647, 675; Doc. Hist., iii., 74; Dunlap, i., 163.

‡ Doc. Hist., iii., 74, 75, 76; Col. Rec. Conn., iii., 493; Dunlap, i., 163.

the imprisonment, yea death, of any Governor that granted the same, he being only an inferior officer of the crown, and the commissions being matters of record.”*

1689.

Leisler can
not with-
stand Bay-
ard's logic.

This was certainly a true exposition of English law. It was just what William himself had declared to be his will when he directed all English colonial officers in America to remain in the places which they held under James. But the German demagogue in New York, to whom Bayard's letter was shown, saw at once that its logic, if followed, would defeat his own personal ambition. Leisler therefore assembled his adherents in New York, Bergen, and Kings counties, armed, in the fort, where he told them, with impudent falsehood, that their Lieutenant Governor Nicholson, who had been some time in London, was a "Popish dog," and "was turned a Privateer, and would never show his face in England; and that he [Leisler] had discovered a plot, in which Bayard, with about three hundred men, would attempt to retake the Fort for the late King James." Bayard's Albany letter had clearly asserted the supremacy of William and Mary. So Leisler caused his partisans "to make a new subscription, in substance for to be true and faithful to King William and Queen Mary, and to be obedient to the Committee of Safety, as the supreme authority, and to himself as their commander in chief." Dongan, who was now living quietly on his farm at Hempstead, was charged with holding "cabals at his house and other places adjacent, to make an attempt on the Fort;" and this induced many to subscribe Leisler's new association. Such as scrupled were denounced as creatures of King James; and as Captains De Peyster, Lodwyck, and Stuyvesant were dissatisfied, more pliant officers were put in their places. Phillipse, who quietly submitted to Leisler, was not disturbed; but his colleagues, Bayard and Van Cortlandt, were roughly searched for in their own houses, as well as in those of their friends, including that of Domine Selyns, and the two royal counselors were obliged to hide themselves from Leisler's rage "till relief from England." These violent doings caused many of the inhabitants of New York to fly to East Jersey and Pennsylvania, where the German captain charged that the Quakers encouraged his opponents.

Leisler's
falsehood.

Phillipse
submits to
Leisler.

* Col. Doc., III., 646, 647, 648; Doc. Hist., II., 22; Dunlap, I., 163.

Yet, amid all their troubles, the people of New York joy-
 ously kept two new holidays. The birthday of King Wil-
 liam was heartily observed in the metropolis with bonfires
 and the roasting of an ox. The next day—which doubly
 commemorated the “gunpowder treason” of Guy Fawkes
 and the landing of William at Torbay—was as earnestly
 celebrated “with bonfires and burning the Pope.”*

CHAP. XI.

1689.

4 Novem.
William's
birthday.5 Novem.
Guy
Fawkes.

* Col. Dec., iii., 634, 646, 647, 648, 655, 656; Dec. Hist., ii., 24, 25, 33, 246; *ante*, 533.

CHAPTER XII.

1689-1691.

- CHAP. XII. WHEN the reports which Nicholson and his counselors had dispatched from New York in May, and the other colonial intelligence brought by Riggs reached Whitehall, they showed that William and his ministers had been duped by Mather and Phipps into committing a great mistake in colonial administration. The intrigue which had withheld from Andros the directed notification of the accession of William and Mary, and of the continuance in their several places under them of all English colonial officers, had resulted in a mutiny in Massachusetts, the disruption of the royal "Dominion of New England," and great confusion in New York by reason of "secession." After the departure of Phipps to Boston in April, the most active notice which William's embarrassed government took of his American colonies was to send a packet-boat in June with orders to the colonial authorities in Virginia, Maryland, and Pennsylvania announcing his war with France, and promising that a squadron would be sent to protect the English Plantations.
- July. Trouble in London about the colonies.
- 1689.
- 2 July. By a letter of Randolph from "the common gaol" of Boston, the king's Plantation Committee learned that the revolt in Massachusetts was not so much against Andros as for restoring the old charter of that colony, under which its Puritan ministers might regain power, and gainful privateering and illicit trade be encouraged. The next day Mather hurried to Hampton Court, where he was received by the king in his bedchamber, who did "kindly accept" of what the Boston insurgents had done. Sir Henry Ashurst also presented the Plymouth address to the king, who assured him "that he would take care of the good of his colonies in New England." But William saw that an unexpected colonial mutiny had broken up his "dominion" there, and that it was necessary for him to re-establish his
- 4 July.

direct authority in the several colonies and provinces into which that dominion had been reduced against his will. Mather's adroit suggestion that "by means of New England" he might become "the Emperor of America," had no weight with the new British sovereign, whose mind was occupied with Europe. A few days afterward, when Riggs told the Plantation Committee his story of what he had witnessed at Boston, the whole truth came out. It was clear that Andros had been imprisoned because he had executed the orders of his lawful English sovereign. Such orders it was not William's colonial policy to undervalue. A petition from Andros having been read before the king in council, it was ordered that Sir Edmund, and his fellow English subjects, "seized by some people in Boston, and detained under close confinement there," should be sent at once to London "to answer before his Majesty what may be objected against them." A royal letter was accordingly written to the acting authorities in Massachusetts, requiring them to send Andros, Randolph, Dudley, Palmer, West, Graham, Farewell, Trefrey, and Sherlock by the first ship to England. The existing government of the colony was also authorized by William to continue in administration until further directions.*

A letter was at the same time addressed to Nicholson by the Privy Council, directing him, as lieutenant governor, "with the assistance of the principal freeholders and inhabitants of their Majesties' Province of New York," to proclaim William and Mary according to a form which was inclosed. The king also authorized Nicholson to take on himself the government of the province, calling to his assistance such of "the principal freeholders and inhabitants" as he should think fit; and requiring him, until further order, "to do and perform all things which to the place and office of our Lieutenant Governor and Commander in Chief of our Province of New York doth or may appertain." William's letter, like that of his Privy Council, was addressed to "Francis Nicholson, Esquire, Our Lieutenant Governor

CHAP. XII.

1689.

William
occupied by
European
politics.
16 July.

22 July.

25 July.

20 July.
William's
letter to
Massachu-
setts.

12 August.

29 July
8 August.

20 July.
William's
letter to
Nicholson.

* Col. Doc., iii., 574-576, 578-583, 593, 604; Doc. Hist., ii., 26; Penn. Col. Rec., i., 301, 302; Burk. ii., 597; Mass. H. S. Coll., ix., 243, 247; xxvii., 191; xxxii., 299; xxxv., 199-202, 206, 209, 210; Parentator, 122; R. I. Rec., iii., 256, 257; Hutch. Mass., i., 288, 390, 391; Narcissus Luttrell, i., 557; Macaulay, iii., 379-414; Chalmers's Annals, ii., 26, 27, 29; sixth Collection of Papers, 20; Davis's Morton, 472; Bancroft, iii., 79; Barry, i., 509, 510; Falfrey, iii., 585, 586; Andros Tracts; ante, 543, 561.

Gen. M. and Commander in Chief of our Province of New York in America, and in his absence, to such as for the time being take care for preserving the peace and administering the laws in our said Province of New York in America.”*

1679.
20 August. The royal dispatches for Massachusetts were delivered to Increase Mather, who, after losing the Corporation Bill by the adjournment of Parliament, embarked for Boston. But Mather was obliged to give them to another passenger, after landing at Deal, where his son Samuel had “fallen sick with the small-pox.” Those for New York were intrusted to John Riggs, who had brought over the letter of Nicholson and his council of the previous May. Nicholson, however, reached London before Riggs set out; but as it was supposed that the dispatches to him as lieutenant governor would be opened and acted upon by Phillipse, Bayard, and Van Cortlandt, the royal counselors whom he had left in charge, no alteration was made, and the messenger went on with his letters to New York.†

Riggs returns to New York with the royal dispatches.

21 August. Informed by Nicholson in person of the actual condition of the province, the Plantation Committee moved the king “that a Governor be forthwith sent to New York, with such a Commission and Instructions as are intended for the other Plantations, and that a ship of strength be appointed to carry the Governor;” also that presents be sent to the five Iroquois nations, who “may be very useful to the English against the French;” and that two new foot companies be sent to the province, in place of those dispersed “by the late disorder.” The king, in Council, approved these recommendations, and declared Colonel Henry Sloughter to be his Governor of New York. Nicholson strove to obtain the post, “but had not interest to carry it.” The appointment of Sloughter was probably secured by some of the corrupt courtiers of William; for the colonel, although praised by London merchants trading to New York for his “integrity, courage, and conduct,” has been deliberately pronounced “utterly destitute of every qualification for government, licentious in his morals, avaricious, and poor.”‡

2 Sept. Henry Sloughter appointed Governor of New York.

* Col. Doc., iii., 605, 606, 648, 676; Smith, i., 94; Dunlap, i., 166; Chalmers's Annals, ii., 29, 50, 55; Palfrey, iii., 389, *note*.

† Col. Doc., iii., 630, 636, 648, 654, 656, 674, 675; Doc. Hist., ii., 38, 246; N. Y. H. S. Coll. (1868), 230-239; Andros Tracts; Mass. H. S. Coll., xxxv., 206, 210; Hutch., i., 302; Macaulay, iii., 414; *ante*, 575.

‡ Col. Doc., iii., 618, 619, 632, 651; Smith, i., 100; Colden, i., 128; Hutch., i., 305; Dunlap,

To strengthen his government, Sloughter proposed that New York, "so advantageously situate between the colony of New England and Virginia," should include Connecticut, the Jerseys, and Pennsylvania; but, as the Connecticut charter had not been legally surrendered or adjudged void, that colony escaped annexation. It was then proposed to add Plymouth to New York, and Secretary Blathwayt actually included it in the draft of Sloughter's commission. But Mather, who had returned to London, with "industry and discretion" persuaded the governor that the addition of Plymouth would be of "little service" and rather an "inconvenience" to New York, and so it was stricken out again. The providential illness of young Samuel Mather thus prevented the annexation of Plymouth to New York. At length the revised draft of Sloughter's commission was approved by the king and ordered to pass the great seal. The same day Nicholson was consoled by being appointed lieutenant governor of Virginia, under Lord Howard of Effingham, who had returned to London. Phipps, who knew the ways at Whitehall, afterward asserted that Nicholson "was recommended by some that were about their Majesties, who for money got in many that were not for the King's interest;" but his appointment by William to such an important colonial office was certainly an emphatic approval of his administration in New York.*

CHAP. XII.

1689.

14 Novem.

Nicholson
lieutenant
governor
of Virginia.

There was every reason why Sloughter should go at once to his government. It was known that the French had a design upon New York, and, if successful, would "put to the torture" some two hundred Huguenot families then in the province. The Bishop of London was appealed to in their behalf, and urged to procure from the king authority for Leisler to secure New York until Sloughter should come, who would not be ready until the spring. But no such authority was given to Leisler. A number of London merchants trading to the American colonies earnestly petition-

30 Decem.

i., 196; Chalmers's Annals, i., 594; ii., 68; Rev. Col., i., 242; Tindal, iii., 92-99; Macaulay, iii., 60-62.

* Col. Doc., iii., 622-629, 651, 719; iv., S. 9, 10; Doc. Hist., ii., 127; N. Y. H. S. Proc., 1849, 196; Coll., 1868, 298; Mass. H. S. Coll., xxxv., 219, 241, 226, 229, 231, 243, 276; Magnolia, i., 195; Hutch. Mass., i., 322, 336, 405-467; ii., 481; Coll., 556; Davis's Morton, 472-476; Plymouth Rec., vi., 259; Park's Virginia, ii., 310; Chalmers's Ann., i., 293, 347, 359; ii., 44, 90; Rev. Col., 211, 243, 261; Trumbull, i., 383, 387, 347-349; Grahame, i., 108, 271; Bancroft, iii., 66; Andros Tracts. Sloughter's commission did not pass the great seal until 4 January, 1690: Commissions, ii., 3; Col. Doc., iii., 623; Smith, i., 109; *post*, p. 627.

ed the king to dispatch a large force at once to protect New York, which was "the center of all English Plantations in North America, and if lost, it will become a nest of French pirates." The campaign in Ireland, however, and the wretched condition of the English navy, prevented due attention being given to the situation of New York, which, of all William's American Plantations, most needed his promptest action.*

While Slougher's commission and instructions were yet under consideration, Ensign Jacob Stoll reached London and presented Leisler's dispatches of August to the king, who referred them to Secretary Shrewsbury. In a pompous memorial Stoll burlesqued his own great services, while he asked the approval of all Leisler's proceedings and a suspension of the governor's commission. Stoll's exertions, however, were of no avail. The boastful New York "dramman" was foiled by the presence in London of Nicholson and Innis, who exposed the true character of Leisler's transactions; and, as Slougher was appointed governor, the affairs of the province must thenceforth pass through his hands. But Matthew Clarkson, who had come over with Stoll, fared much better. By a patent under the privy seal, the office of "Secretary of New York in America" was created and granted to Clarkson during the royal pleasure and his own residence in the province, with power to appoint deputies.†

After a long voyage Riggs arrived in Boston, and hastened with his important dispatches to New York. On reaching there late on Sunday night, he called at Bayard's house, where Phillipse having come, Riggs exhibited his packets to them, and declared that, as in Nicholson's absence, they belonged to his council, being in answer to their letters of May, he would deliver them to the three counselors whenever Van Cortlandt should join his colleagues in town; adding that he did not believe that Leisler would receive and

* Col. Dec., iii., 650-653; Macaulay, iii., 432-435; Chalmers's Annals, ii., 63, 91; Hist. Mag., xi., 333.

† Col. Dec., iii., 597, 614, 616, 629-633, 731; viii., 324; Commissions, ii., 17, 18; Smith, i., 93; N. Y. H. S. Coll. (1893), 298; ante, 576. Secretary Clarkson came out to New York, as a young man, in 1683, probably at the suggestion of his brother-in-law, Captain Lodwyck. He was a son of the Reverend David Clarkson, of Yorkshire, England, an eminent nonconformist divine (Neal's Puritans, ii., 332). In January, 1692, Matthew Clarkson was married to Catherine, daughter of Captain Goosen Gerritsen van Schaick, deceased, of Albany, and became the ancestor of the very respectable New York family now bearing his name.

open them if they should be tendered to him. But before the three counselors could meet together the next morning, Leisler sent a lieutenant and two sergeants to convey Riggs to the fort. At Riggs's request, Van Cortlandt and Phillipse attended him thither. Leisler peremptorily demanded the English packets. Phillipse and Van Cortlandt, on the other hand, claimed them as addressed to them, being royal counselors deputed by the lieutenant governor "to preserve the peace during his absence and until his Majesty's pleasure should be known." Leisler then told Riggs that they had nothing to do with the government, that they were papists, and that the packets belonged to and were directed to him, who was commander-in-chief under the commission of the Council of Safety, which he exhibited. Upon this Riggs surrendered his dispatches to Leisler, who gave him a receipt, and, turning to the two counselors, called them "Popishly affected, Dogs and Rogues," and, with "many opprobrious words," ordered them out of the fort, "for they had no business there."*

CHAP. XII.

1689.

9 Decem.

The dispatches given to Leisler.

These dispatches from England which Leisler thus seized were certainly intended for Nicholson, or, in his absence, for the three counselors whom he had left in charge of the province. William's letter of 30 July meant Francis Nicholson, and no one else, as his "Lieutenant Governor and commander in chief" of New York, and authorized him to perform the duties of that office. In Nicholson's absence, those duties were to be executed by "such as for the time being take care for preserving the peace," etc., in the province; and this duty William expected would be done by his resident counselors Phillipse, Van Cortlandt, and Bayard, of whom the first named was to act as "president," according to the commissions given by his predecessor to Dongan and Andros, the words of which were followed in that which he himself gave to Sloughter. The king's letter, therefore, was intended for, and ought to have been delivered to, the oldest counselor, Frederick Phillipse, who should then have acted as President of New York.†

Intention of them.

* Col. Doc., III., 633-635, 648, 649, 654, 656, 664, 675, 676, 739; Doc. Hist., II., 28, 38, 228, 232, 246; Smith, I., 94; Dunlap, I., 166, 167; Wood, 166; N. Y. H. S. Coll. (1868), 249, 323, 360, 378.

† Col. Doc., III., 352, 512, 565, 666, 678, 683, 640, 675, 685, 759; iv., 1018; ante, 570. Dunlap, I., 166, alters the address on the king's letter from such as "take care," etc., to such as "takes care," and argues that "thus the person at the head of the Government," mean-

1689. But Leisler had now gotten the king's letter in his hands.

1689. It was the first royal letter he had seen. It was a sort of

1689. Godsend, and he determined to use it for his own advantage. The train-band captain was in possession of the fort of New York; and in August, ten of his tools, calling themselves a "Committee of Safety," had signed a commission appointing him to be "commander in chief" of the whole

Leisler's
1689.

province. This impudent assumption of authority had been rejected by all the counties of the province except those near the guns of Fort William. But the German demagogue, who had hitherto pretended that "the people" of New York had given him power, now changed his tactics. Leisler saw that the time had come when he might, with equal right, pretend that he was the royal instead of the democratic chief of New York, and he acted boldly, yet cunningly. He carefully concealed William's letter to Nicholson from all except his own adherents, because he knew that it had not been meant for him; but he audaciously declared that "he had received a commission to be their Majesties' Lieutenant Governor, and that all their actions were well approved of."* Finding that this falsehood was believed, Leisler unwarrantably "esteemed his own authority to have received the royal sanction." He at once assumed the station and the title of "Lieutenant

10 Decem. Governor" of New York, and he caused William and Mary to be proclaimed anew, according to the form which the English Privy Council had directed Nicholson, or his counsels,

11 Decem. to follow. The next day Leisler called together De la Noy, Edsall, Beekman, and others of his friends, to advise who should be his council. The king's directions to Nicholson were that these counselors should be "the principal freeholders and inhabitants." Among these were assuredly Phillipse, Van Cortlandt, Bayard, and Minvielle, of New York; Smith, Nicolls, and Younge, of Long Island; Schuyler, Wessels, Bleecker, Van Schaick, Van Rensselaer, and Livingston, of Albany—all of them good Protestants. But the devotees to himself whom Leisler selected as his advisers were Peter de la Noy, Samuel Staats, Hendrick

ing Leisler, "was empowered to take the chief command" of the province, which was not the case. C. F. Hoffman reiterates Dunlap's *Spark's Am. Biog.*, xiii., 210.

* Col. Doc., iii., 606, 676, 764. William's letter to Nicholson "was not openly communicated" to the people during Leisler's rule: *Doc. Hist.*, ii., 202, 221.

Jansen, and Johannes Vermilye, for New York; Gerardus CHAP. XII.
Beekman, for Kings; Samuel Edsall, for Queens; Thomas
Williams, for Westchester; and William Lawrence, for Or- 1689.
ange. Most of these had been members of the late "Com- Leisler's
mittee of Safety," and all of them were now chosen by counselors.
Leisler to be his royal counselors, because he knew they
were "for his turn." Jacob Milborne was appointed sec-
retary of the province and clerk of the Council, and he,
with De la Noy, Staats, and Edsall, formed Leisler's "root,"
or cabinet. On Sunday the German usurper took his seat
in the governor's pew in the old Dutch church, "with a
large carpet before him," while his new advisers sat in the
Council's pew; and thus a vulgar vanity was gratified.*

As the king's provincial seal for New York of 1687 had
been broken by Andros in 1688, another was manufactured Leisler
by altering the Duke of York's coronet in his old seal of makes a
1669, and placing the crown of England in its stead. Thus seal for
a royal prerogative was boldly, perhaps ignorantly, usurped New York.
by Leisler. It was also ordered and proclaimed that the 16 Decem.
customs and excise duties settled by the colonial act of
1683 remained in force, and should be collected. The act Duties to
had been disallowed by King James, but the duties it levied be collect-
had been continued by order of Dongan and his Council.
Leisler himself had refused to pay duties under that order;
but now he attempted to enforce, by his own arbitrary de-
cree, an act of a "Popish Governor," which his inconsistent
logic had, up to this time, argued to be "null and void."†

The people, however, objected to Leisler's proclamation,
which was torn down from the door of the custom-house,
and another paper affixed in its place showing its illegality.
Upon this Leisler issued another proclamation, forbidding 20 Decem.
any person to deface or take away any paper affixed "by The people
the authority of this Province or city." Several persons object.
were soon arrested under this order, and imprisoned in the 23 Decem.
fort during Leisler's will and pleasure. Others were arrest-
ed, and bail was refused until they would petition the usurp-
ing captain for release under the title of "Lieutenant Gov-
ernor."‡

* Col. Doc., iii., 605, 606, 636, 655, 676, 764; iv., 1111; Doc. Hist., ii., 26, 27, 28, 246; Chal-
mers's Ann., i., 502; Rev. Col., i., 210; Smith's L., 94; Bancroft, iii., 52; Dunlap, i., 166, 167.

† Col. Doc., iii., 354, 370, 676, 677, 678; iv., 1018; Doc. Hist., ii., 29, 30; iv., 1*, 2*, ante,
157, 512, 559.

‡ Doc. Hist., ii., 29; Col. Doc., iii., 678-681.

CHAP. XL. New commissions were quickly issued by Leisler, making his friends justices, sheriffs, and military officers in the various counties of New York. But as those issued by Dongan and Andros were generally esteemed to be in full force, an order was issued requiring all persons holding them to surrender them to the nearest magistrate, and all who refused were "to be deemed and esteemed as persons ill-affected to this government, and unfit for bearing office, or having any trust reposed in them whatsoever, and to be regarded as the case shall require."*

1690. Courts of Oyer and Terminer were also commissioned for New York and Queens county. Finding that the people would not obey his order establishing custom and excise duties, Leisler erected a Court of Exchequer. This tribunal quickly summoned the recusants, and compelled payment by distresses, notwithstanding Thomas Clarke, in behalf of the defendants, objected that no member of the pretended court had a commission from King William to be a baron of his exchequer.†

7 Jan. Leisler's letters to the king and Bishop Burnet. Leisler now wrote to the king that he had acted on the royal letter addressed to Nicholson, "although two of Sir Edmund Andros's Council pretended thereunto;" and he declared that his conduct was "to the great satisfaction of the generality" of his majesty's liege subjects in the government. Another letter, signed by Leisler and some of his Council, was addressed to Bishop Burnet, of Salisbury, setting forth in greater detail what had just been done in New York. Both these letters were sent by way of Boston, and were evidently drawn up by Jacob Milborne, the secretary of the province under Leisler's appointment.‡

As it was known that the king had ordered that Andros, Randolph, West, Farewell, and the others whom the Boston insurgents had imprisoned should be sent to London, letters to some of them were written by Bayard, Van Cortlandt, Nicolls, and others, which were given by Colonel Lewis Morris to the post-rider, John Perry, as he passed his house in Westchester. Fearing that the truth would be made known

* Doc. Hist., II., 32, 196-199.

† Col. Doc., III., 613, 673, 683; Col. MSS., xxxvi., 142; Doc. Hist., II., 36. The members of Leisler's Court of Exchequer were Samuel Edsall, Benjamin Blagge, Johannis Provost, Hendrick Jansen, and John Conventoven.

‡ Col. Doc., III., 653-657, 709, 731; Doc. Hist., II., 36, 247.

in England, Leisler declared that he had "detected a hell-
ish conspiracy" to subvert the king's government in New
York, and ordered Lieutenant Daniel Terneure to arrest
the postman to Boston, and bring him, with his papers, to
the fort. Perry was accordingly brought before Leisler,
who opened and read the letters he carried, and put him in
prison. As they reflected on him very severely, Leisler or-
dered their writers, Bayard, Van Cortlandt, Broekholts, Mor-
ris, Nicolls, and Reed, to be apprehended and brought be-
fore him for "writing execrable lies and pernicious false-
hoods." Private correspondence, proverbially sacred, was
thus violated to serve a partisan despotic power. Leisler
now declared "that he was invested with such a power as
in a little time he could command the head of any man in
the Province, and it would be forthwith brought him."

CHAP. XII.

1690.

3 Jan.

16 Jan.
Perry's let-
ters seized.
17 Jan.
Their writ-
ers to be
apprehend-
ed.

Bayard and Nicolls were soon arrested and imprisoned in
the fort; but Van Cortlandt escaped. The low spite of the
German demagogue was chiefly manifested against his old
colonel, Bayard, whom, with brutal triumph, he caused to
be carried in chains around the ramparts of Fort William.
Ill in body, and dejected in spirit, Bayard was obliged to
ask freedom from his upstart persecutor under his assumed
style of "Lieutenant Governor" of New York. Even this
submission produced no effect. Abundant bail was offered
and refused, and for thirteen months Bayard and Nicolls
were kept in close confinement, while their houses were pil-
laged to gratify the vulgar malice of Leisler and his fol-
lowers.*

Bayard and
Nicolls im-
prisoned.

24 Jan.

The usurper at New York had meanwhile been greatly
troubled that Albany would not submit to him. Acquaint-
ed by Milborne with the characters of the principal men
there, Leisler acted with prompt decision. He issued his
own commission to Captain Jochim Staats to take posses-
sion of "the fort Orange," and command it until farther

23 Decem.
Leisler's
letters to
Albany.

* Doc. Hist., ii., 32, 35, 36, 37, 38, 39, 191, 246, 247; N. Y. H. S. Coll. (1868), 379; Col. Doc.,
iii., 657, 661-662, 682-684, 769, 716, 721; Dunlap, i., 138, 169, 171, 172; ante, 593. An ac-
count of Leisler's proceedings to the 21st of January, 1690, was drawn up—probably by Bay-
ard and Nicolls, and their friends—which they meant to have presented to the Mayor's
Court of New York on the 25th of January. But the "fury and rage" of Leisler prevent-
ed this, and their paper, under the title of "*A modest and Impartial Narrative*," etc., was
printed at Boston, and afterward reprinted at London: Col. Doc., iii., 663-684; Dunlap, i.,
167, 162. It is written with acrimony, and perhaps is somewhat unjust; yet, without its help,
a fair account of New York affairs at that time could not now be given. This pamphlet
was not printed at New York, as its title-page states, for there was no press there in 1690.

orders. Leisler also wrote to the Albany magistrates and to Staats, directing "a free election" to be made for a mayor and aldermen; but he carefully named the persons he was "willing to have chosen, if the people will elect them."^{*}

1679. When these letters reached Albany, Schuyler assembled the Convention, which called on Staats to produce his orders, and show that Leisler had been made lieutenant governor by the king, in which case they would cheerfully obey. Staats, however, only exhibited the orders sent him by Leisler, but not the king's letter to Nicholson. The next day the officers of the county of Albany were convened to give their opinions whether Leisler should be acknowledged as lieutenant governor. Schuyler, the mayor, voted "that he can not acknowledge the said Captain Leisler to be Lieutenant Governor and Commander in Chief of this Province, nor obey his orders, 'till he hath shown that he hath lawful authority from his most sacred majesty, King William, so to be." This was plain good sense. The other officers were "of the same opinion with the mayor," except Captains Wendell and Bleecker, who could not "comprehend" the matter. The opinions of Captain Bull and Ensign Bennet, of the Connecticut forces, being asked, they said that for any thing that yet had been seen or heard, they had "no reason to conclude that Captain Jacob Leisler is either Lieutenant Governor or Commander in Chief of the Province of New York." Leisler's cunning in "not openly communicating" the king's letter to Nicholson thus served "his turn," but it was a sad calamity to the province.[†]

Schuyler
appears
Leisler's
pretensions.

Wendell
and
Bleecker
could
not
compre-
hend."

13 Jan.
Albany
Declares
its
opinion.

The Albany Convention now issued the ablest document which had been written in New York since the imprisonment of Andros. It declared that "Jacob Leisler, of the City of New York, merchant," with "restless and ambitious spirit," had assumed unlawful power and the title of lieutenant governor of the province, "without the least shadow of orders or authority so to do from his most sacred majesty King William," and that the king's letter to Nicholson was as much directed to them in Albany as it was to Leisler in New York. Moreover, in this juncture Leisler had

^{*} Doc. Hist., ii., 50, 51, 51.

[†] Col. Doc., iii., 606, 676, 764; Doc. Hist., ii., 52, 83, 262, 221; Dunlap, i., 169, 170.

made "new confusion when peace and unity is most requisite," by sending his commissions and seditious letters, "so that great part of the time must be spent to defeat the said Leisler's pernicious and malicious designs which otherwise could be employed to resist upon all occasions the common enemy." Staats was therefore prohibited from disturbing the peace, under Leisler's pretended authority, "upon pain of rebellion." This protest was published with great formality "in English and Dutch" before the church and at the fort. It was signed and sealed by all the county officers except Captains Wendell and Bleecker, who would "have nothing to do with the Protest, when they heard it read."

The logic of this manifesto could not be confuted; but events were now at hand which subordinated all provincial jealousies. Suspecting that the French intended to invade New York, the Convention employed the Mohawks to keep scouts on Lake Champlain, and report any hostile movement at once. This they faithfully promised to do; but they were not vigilant enough.*

Upon receiving his instructions, Frontenac, accompanied by Callières, had set out from Paris full of hope, anticipating a rapid conquest of New York. But, owing to various mishances, it was not until the middle of September that he reached Acadia, whence he went on to Quebec, after ordering Caflinière, who commanded the ships, to cruise before New York until the tenth of December, when he was to return to France if no news reached him from the land side. Crowds welcomed "the Redeemer of Canada" as he landed at Quebec. The news of the late irruption of the Iroquois at Montreal obliged him to hasten thither, where he found Denonville in great embarrassment. Frontenac at once saw that the projected conquest of New York must be abandoned. The Iroquois and the English were both on their guard, and the Canadians reduced to the defensive. Even his favorite fort at Cataracouy, which bore his own name, had been evacuated. Frontenac had reached Canada fully three months too late.†

* Dec. Hist., ii., 83-87; Dunlap, ii., 170.

† Col. Dec., iii., 621; ix., 419, 420, 435-438, 462; La Potherie, ii., 233; iii., 59; La Hontan, i., 198-202; Charlevoix, ii., 490-493; Colden, i., 102, 103; Smith, i., 101; Garneau, i., 274, 301; Bell, i., 297, 320-322; Fore's Tracts, iv., ix., 41-43; *ante*, 547, 553.

CHAP. XII.

1690.

20 Jan.
Mohawk
scouts.

21 Jan.

1689.
June.

September.
Frontenac
at Quebec.

12 Oct.

17 Oct.
The con-
quest of
New York
abandoned.

- May 20. To conciliate the Iroquois, Frontenac dispatched a mes-
 1689. senger to Onondaga inviting them to meet again at Catara-
 1689. gony their "old Father," who was as much their friend as
 1689. ever. This was conveyed by three of the savage prisoners
 1689. who had been brought back from France, while Oreonaté,
 1689. or Tawerahet, the Cayuga chief, in whose name it was sent,
 remained sumptuously entertained in the Castle of Saint
 Louis at Quebec. Lamberville also wrote to Millet at Oni-
 da, and Le Moyne and Hertel sent wampum belts. When
 20 Decem. the messengers from Canada reached Onondaga, a general
 council was summoned, and a request was sent to Albany
 that Schuyler and others might be present and give their
 25 Decem. advice. The Convention, not thinking it "convenient at
 this juncture to send Christians," dispatched three "of the
 most prudent Mohawks" to Onondaga, to recommend the
 Iroquois Council not to hearken to the French; to inform
 them that a governor of New York was daily expected from
 England, who, it was hoped, would bring orders "that the
 English may unanimously go and root out Canada;" and
 to desire them to hold Millet as a hostage for their captured
 brethren, and send to Albany the letters he had received
 1690. from Canada. A few days afterward, Tahajadoris, one of
 4 Jan. the chief Mohawk sachems, who was going to Onondaga,
 came to ask "the Brethren's advice how to act there."
 5 Jan. Upon this, the Albany officers directed Arnold Cornelissen
 6 Jan. Viele, the interpreter, to go thither, with Robert Sanders,
 and fully explain their message. Its purport was, that the
 Iroquois were "subjects of the great King of England," and
 should not hearken to the French, but send warriors to aid
 in protecting New York against their hostile designs, "since
 they have called all their garrisons together to Montreal."*
- 22 Jan. A grand Iroquois council now assembled at Onondaga,
 Grand Iro- where eighty sachems were present. The Albany messen-
 qués gers were addressed by the Onondaga sachem Sadekanac-
 Council at tie, who told them what the French had sent from Canada.
 Onondaga. Adarahta, the chief sachem of the "Praying Indians" near
 Montreal, then delivered the Canadian wampum belts. Ta-
 hajadoris, the Mohawk sachem, then gave the message he

* Col. Doc., iii., 737, 734; iv., 435, 436, 435; La Potherie, i., 323; iii., 62, 63, 70; Charle-
 voix, ii., 424, 425; Colden, i., 104, 112, 113, 114; Garneau, i., 304; Bell, i., 323; Smith, i., 172;
 Shea, 526, 532; Doc. Hist., ii., 76-89; Chalmers's Ann., ii., 69. Colden and Smith, ignorant
 of the real reasons why its officers could not leave Albany, unjustly reflect on their conduct.

had received at Albany "word for word." A Seneca sachem, Cannehoot, followed in a harangue about the peace his nation had made with the Western savages against the French, and gave the Council a calumet, and "a red-marble sun as large as a plate," as tokens of friendship. The wampum belts from Albany were hung up in the Council lodge, along with "the model of a fish," sent on behalf of "Kinshon," or New England, "as a token of their adhering to the general covenant." The superb salmon of Maine probably furnished the image; yet it may have been a Massachusetts cod.*

The Onondaga Sadekanactie then said, "Brethren, we must stick to our Brother *Quider*, and look upon Omontio as our enemy, for he is a cheat."† All this passed in the presence of Millet, as an adopted sachem of the Oneidas. The letters to him from Canada were given to Viele, the Albany interpreter, who urged the Council not to hearken to the French. The Iroquois orator then announced the Albany message: "Brethren, our fire burns at Albany; we will not send Dekanesora to Cataracouy. We adhere to our old chain with Corlaer; we will prosecute the war with Onontio, and will follow your advice in drawing off our men from Cataracouy. Brother Kinshon, we hear you design to send soldiers to the eastward, against the Indians there; but we advise you, now so many are united against the French, to fall immediately on them. Strike at the root:—when the trunk shall be cut down, the branches fall of course. Corlaer and Kinshon, courage! courage! In the spring to Quebec; take that place, and you will have your feet on the necks of the French and all their friends in America." In their reply to Frontenac, the Council refused to meet him at Cataracouy, and insisted on his sending back all the prisoners that had been taken to France. The Five Nations, however, were not unanimous. Millet's influence was strong enough to prevent the Oneidas and Cayugas from engaging themselves against the French. The two sachems who were sent to Albany to report the reply of the Council to On-

* Colden, i., 113-116, 180; Doc. Hist., ii., 72, 80. The Iroquois allegorically called New England "*Kinshon*," after Pynchon, who had first covenanted with them in 1677: *ante*, 309; Millet's letter of 6 July, 1691, p. 48.

† "By *Quider* they meant *Peter Schuyler*, the Mayor of Albany, who had gained a considerable esteem among them; as they have no labials in their language, they pronounce *Peter* by the sound of *Quider*." Colden, i., 16, 116; *ante*, 300, 302.

Frontenac, delivered a belt to *Quider*, or Peter Schuyler, in which only three axes were represented.*

1684. But Frontenac had meanwhile seen that the only way in which the French could regain the respect of the Iroquois was to strike audacious blows against the English. After sending off his dispatches to France—among which was a fresh plan of Callières for the conquest of New York—the vigorous old governor organized three several expeditions against the English neighboring colonies—one at Montreal, to invade New York; another at Three Rivers, to attack New England, between Albany and Boston; and a third at Quebec, to ravage Maine. The party from Three Rivers, commanded by Hertel, destroyed the village of "Semenfels," or Salmon Falls, now Berwick, in New Hampshire, and joined that sent from Quebec under the command of Portneuf. The combined expedition then burnt "Kaskebe," or Casco Bay, now Portland, and alarmed the whole eastern frontier of New England.†

Expedition Frontenac's most important party from Montreal was directed against New York. It was composed of two hundred and ten men, of whom eighty were "Praying Indians" from Caghnawaga, opposite Montreal, on the Saint Lawrence, under their "Great Mohawk" chief Kryn; sixteen Algonquins, and the remainder Canadian traders, or "bush rangers." The expedition was commanded by Sainte He-
 February. lene and Mantel, Canadian lieutenants, under whom were Iberville, Repentigny, Bonrepos, La Brosse, Montigny, and other officers, as volunteers. Early in February the party set out from Montreal, and, after marching several days, held a council to determine which was the best point to attack. The French officers wished to go directly to Albany; but the converted Mohawks, who knew the country well, opposed this, and it was decided to march on Schenectady. After a severe tramp over an intensely cold desert covered with snow, the expedition halted within two leagues of Schenectady about four o'clock on a Saturday afternoon.

* Calen, i., 116-119, 158; Col. Doc., ix., 465, 466; La Potherie, iii., 62-67; Charlevoix, ii., 425-427; Smith, i., 102, 103; Chalmers, ii., 62; Millet's letter of 6 July, 1591, 41-46, 51; *ante*, 562, 584. The French wrote Schuyler's Indian name of *Quider*, "Keuter."

† Col. Doc., iii., 708, 720; ix., 42-439, 464, 471-473; La Potherie, iii., 61, 76-79; Charlevoix, ii., 400, 410; iii., 62, 72-73; Maine H. S. Coll., i., 261-265; Mass. H. S. Coll., xxvi., 210-218; xxxv., 253; Belknap, i., 267, 268; Doc. iii. to, ii., 146; Garneau, i., 506, 507, 508; Bell, i., 325.

The great Mohawk, Kryn, harangued his "praying" coun- CHAP. XII.
trymen, and exhorted them to avenge the massacre of the
French at Lachine. A reconnoitring party was sent out, 1690.
which reported that Schenectady was unprepared for at- Kryn harangues.
tack; and a little before midnight the exhausted Canadians,
benumbed with cold, and ready to surrender themselves if
they had been summoned, advanced on the devoted village.

Schenectady was indeed lamentably unready. Reliance Condition of Schenectady.
had been placed on the vigilance of the Mohawk scouts
whom the Albany authorities had dispatched toward Lake
Champlain, but who had not seen the French expedition.
Leisler's recent letters had excited bitter party spirit in the
village; neighbor was set against neighbor, and no watch
was kept, "notwithstanding several gentlemen of Albany,
no longer than three days before, were up there to persuade
them to it." The villagers thought that in that bitter weath-
er no foe could march on them from Canada, forgetting
that exactly twenty-four years before Courcelles had gal-
lantly demonstrated the endurance of his countrymen.*
Disregarding the warnings of Talmage and his guard, they Carelessness of the inhabitants.
gayly spent their Saturday evening within their warm houses,
leaving open both the gates of their stockade, and, instead
of living sentinels, placing in mockery images of snow.

The village of Schenectady, at that time the western fron-
tier post of New York, contained upward of eighty well-
built and well-furnished houses, and formed an oblong, sur-
rounded by a palisade, which could be entered by only two
gates. One of these, on the west side, commanded the road
to the Mohawk country; the other, on the east side, that to
Albany, and both were now left "wide open." At mid-
night the French, under Sainte Hélène and Mantel, entered
by the Mohawk gate through a driving snow. The vil- The French enter and burn Schenectady. 19 Feb.
lagers were all asleep in their houses, after their evening's
revelry. The "small fort" where Talmage and his garri-
son kept watch was the only place "under arms." This
was at once attacked by Mantel; "the gate was burst in
after a good deal of difficulty, the whole set on fire, and all
who defended the place slaughtered." The sack of the vil-
lage at the same time began with a war-whoop "given In-
dian fashion." Few houses made any resistance. Adam

* On the 9th of February, 1690; see *ante*, 103.

CHAP. XII. Vrooman secured quarter by a brave defense, and another house, belonging to a widow, was saved because Montigny had been carried into it after being severely wounded. The house of the Dutch domine, Petrus Tesschenmaeker, had been "ordered to be saved, so as to take him alive to obtain information from him;" but, as it was not known, it was destroyed with the others, and the domine and his papers perished. His head was put on a pole and carried to Canada. The massacre lasted two hours, and then the assailants took "some rest." With barbaric ferocity, the Iroquois atrocities at Lachine were avenged by French "Praying Indians" at Schenectady. "No pen can write nor tongue express," were Schuyler's words, the terrors of that cruel night. Sixty persons, including Talmage and several of his Connecticut soldiers, were killed, and an equal number of old men, women, and children, who escaped the first fury of the attack, were made prisoners. Twenty-five almost naked survivors fled from their burning homes, and pushed their miserable way through the snow to Albany. Some thirty Iroquois, who were lodging in the village, were spared, "in order to show them that it was the English, and not they, against whom the grudge was entertained."

Domine
Tesschen-
maeker
killed.

Killed and
prisoners.

At daybreak a party was sent to the house of Captain Alexander Glen, at "Scotia," on the north side of the Mohawk River, about half a mile above Schenectady. Glen, who was the chief magistrate of the village, and supported the Albany Convention, had become so unpopular among the partisans of Leisler at Schenectady that they threatened "to burn him upon the fire" if he came on guard with them. The English called him "Captain Sander," and the French "Coudre." Seeing that he was on his guard, the French told him that they had resolved that he and all his relations, and all his property, should be safe, in consequence of the good treatment which their countrymen had received from his father, his brother, himself, and his wife. Glen, thus assured, accompanied the party to Schenectady, where the French officers were directing the conflagration. A few houses, which he said were his, were spared, and several women and children, who claimed affinity with him, were released from captivity. The Canadian savages, observing the number of their prisoners so greatly reduced,

Glen, or
Sander, or
Coudre.

complained that "every one seemed to be a relation of Cour-
dre's." CHAP. XII.

1690.

It was well for the French that they listened to their Indian advisers, and did not attack Albany, where they would have been annihilated by the vigilance of Schuyler. The next day they hastily collected their twenty-seven prisoners and their plunder, among which were "fifty good horses," and set out on their return to Canada, having caused a loss in Schenectady of "more than four hundred thousand livres." The retreating Canadians suffered from hunger and disease; thirty-four of their fifty captured horses were eaten for food, and Mohawk war-parties cut off many stragglers. At length the remnant of Frontenac's New York expedition returned to Montreal with its surviving prisoners, hoping that it had "greatly retrieved, in the estimation of the barbarians, the reputation of the French arms."* 20 Feb.
The French
return to
Canada.

The terrible intelligence from Schenectady was brought to Albany about five o'clock on Sunday morning by Symon Schermerhorn, who, wounded himself, and on a lame horse, had tediously worked his path there by way of Niskayuna. Schuyler quickly fired the guns of the fort to summon the people; and an express was sent through the deep snow to Esopus, and to Kinderhook, and Claverack, for assistance to Albany, which it was supposed would be next attacked. The next day, however, Bull was sent with a party to Schenectady to bury the dead and pursue the enemy. Leisler's letters were "found all bloody" in the streets. The French were pursued as far as Crown Point, whence the Mohawks followed them to Canada, and killed and took twenty-five.† 17 March.
9 Feb.
The news
at Albany.

Remembering the advice of the sachems at Onondaga, the Convention quickly wrote to the governments of Massachusetts, Connecticut, Maryland, and Virginia, and to "the civil and military officers of New York," desiring them "to join together, that Quebec may be taken by water in the spring." Thus from Albany, in the midst of its distress, 10 Feb.
15 Feb.
Albany advises an attack on Canada.

* Col. Doc., iii., 760, 768, 716, 727; ix., 467-469; La Montan, i., 204; La Potherie, iii., 67-70; Charlevoix, iii., 63-68; Colden, i., 121-123; Chalmers, ii., 69, 70; Doc. Hist., i., 186-195; N. Y. H. S. Proc., 1846, App., 101-123; Col. (1868), 403; Mather, ii., 505; Smith, i., 103-105; Trumbull, i., 379, 380; Mass. H. S. Coll., xxxv., 230, 268; Garneau, i., 305, 307; B. H., i., 323, 324; Dankers and Sluyter, 315, 316; Dunlap, i., 175-179; ante, 329, 583. I refer with some diffidence to such a blundering "authority" as Dunlap, who persistently substitutes the name of "*Frontenac*," the wine, for that of "*Frontenac*," the governor.

† Doc. Hist., i., 188-193; ii., 87, 88; Col. Doc., iii., 708; Colden, i., 123.

CHAP. XII. came the first suggestion of a union of the English colonies to attack the French.*

1690.

25 Feb.
The Mohawks at Albany.

The sachems of the Mohawk castles now came to Albany to condole with its magistrates on the calamity at Schenectady, which they could not call a French victory, "for it is done by way of deceit." With many wampum belts, they desired to wipe away all tears, and urge those who wished to go to New York not to leave Albany. "If the enemy should hear that, it would much encourage them; we are of the race of the bear, and a bear does not yield as long as there is a drop of blood in its body. We must all be so." Three years before they would have humbled the French if they had not been prevented by Dongan, who was then "Corlaer;" but now, "let us go on briskly with the war." "Let us not be discouraged; the French are not so many as people talk of; if we but mind our business, they can be subdued by the assistance of our neighbors of New England, whose interest it is to drive on this war as much as ours, that it may be speedily ended." The

26 Feb.
Carelessness of Mohawk scouts blamed.

Albany magistrates the next day answered their brethren, reproving the carelessness of the Mohawk scouts, who had given no notice of the French approach, and informing them that letters had already been sent to the English colonies to urge the capture of Quebec, and promising that special messengers should be sent to New York and New England "on purpose to lay open the case before them, and to move them to rig out vessels not only to hinder succor coming from France, but to take Quebec itself, as also to send more men hither, that we may then send men along with you to annoy the enemy in their country." Thus the Albany officers in February foreshadowed the campaign which was attempted the following summer. At the same time they explained that Dongan had acted under the orders of a king who "was a papist, and a great friend of the French; but our present Great King will pursue the war to the utmost."

Request to send Millet to Albany.

They also desired the Mohawks to persuade the Oneidas to send Millet to Albany; "for you have seen how dangerous it is to have such persons among you, who inform the enemy of all your doings, and discover all our designs." The Mohawk sachems shouted their approval, and replied, "We

* *Doc. Hist.*, ii., 59, 63; *Collen*, i., 117; *and*, 665.

will go with a whole army to ruin the French country; the business must be soon brought to a period; therefore send in all haste to New England, for we nor you cannot live long in this condition; we must order it so that the French be in a continual fear and alarm.”* CHAP. XII.
1690.

The Albany Convention accordingly dispatched Barentsen to New York, with instructions to wait on Governor Sloughter “if he be arrived, otherwise on the authority there,” and urge “that every one exert his power to crush the common enemy;” that men and supplies be sent to Albany; and that the people in the metropolis should “bring all their sea-force together, to unite with our neighbors of Boston to attack Canada.” Livingston and Tennissen, of Albany, and Garton, of Ulster, were also commissioned to hasten to Connecticut and Massachusetts, and ask that Captain Bull and his company should be allowed to remain; that more men and supplies be sent to Albany; and that both those colonies should unite with New York in attacking Quebec by sea, which “was but meanly fortified and few men there, the strength of Canada being drawn up to Montreal, which the French have fortified.”†

The idea of a confederation of British North American Plantations originated in New England in 1643. The policy of consolidating his colonies, to make them “terrible to the French,” was the thought of James the Second in 1688. The patriotic purpose of a union of all the English dependencies in North America, from Virginia to New England, against a common enemy, was inspired by the New York Iroquois, and formally propounded by the Albany Convention in February, 1690. From Schuyler and his associates just praise should not be withheld.

When the news from Schenectady reached the provincial capital, Leisler “made an alarm,” and disarmed and imprisoned about forty officers who held Andros’s commissions. Warrants were also issued against Dongan, Willet, Hicks,

27 Feb.
Barentsen
dispatched
to New
York.

3 March.
4 March.
Living-
ston, Ten-
nissen, and
Garton
sent to Con-
necticut
and Massa-
chusetts.

The union
of all the
British col-
onies
against
Canada an
Albany
idea.

15 Feb.
Leisler im-
prisons An-
dros’s offi-
cers, and
issues war-
rants
against
Dongan
and others.

* Dec. Hist., ii., 91-5; Colben, i., 123-127; Smith, i., 105, 106; N. Y. H. S. Coll., ii., 165-169; Proc., 1846, 122, 123; Miller’s letter of 6 July, 1691, 49. Colben paraphrases rather than copies Livingston’s verbatim account, which I follow, and postdates the interview of 25 February on 25 March, 1690. Compare N. Y. H. S. Coll., (1839), 165-166.

† Dec. Hist., ii., 95-99; Col. Rec., iii., 692-698, 702-710. Captain Thomas Garton, of Ulster, had married Ann Tyo, who, after the decease of her first husband, Captain Daniel Broadhead, in 1667, espoused his former subordinate, William Nottingham, and was left a second time a widow: N. Y. H. S. Coll., (1868), 185; MunSELL’s Alb. Coll., iii.; *ante*, 123, 157.

1690. and others, and the sheriffs of the neighboring counties were directed to secure "all such persons who are reputed Papists, or hold or maintain any commissions" from Dongan or Andros. Van Cortlandt, Brockholls, and Plowman were ordered to be arrested. Finding himself thus persecuted, Dongan left his house at Hempstead and went to New Jersey, whence he came to Boston to "be quiet." Van Cortlandt escaped to New England. Hamilton, Townley, Pinhorne, and other New Jersey gentlemen, dared not come to New York for fear of Leisler's despotic tastes. To such a degree did he gratify his appetite for imprisoning, that Alderman Kip, a deacon in the Dutch Church, was sent to jail "for going in the church to old Mr. Beekman to receive the alms before he went to young Henry the baker," who was one of the Council.*

21 Feb. Wrongly blaming the Albany Convention for the calamity at Schenectady, which was owing to his own intrigues, Leisler dispatched Counselors Vermilye and Blagge, with Secretary Milborne, to New Haven, where they had a conference with Treat and Allyn, the governor and secretary of Connecticut. The New York agents desired that the Connecticut forces should not obey the Albany Convention, but Leisler. Allyn, in behalf of Connecticut, advised "hopeful and peaceable measures for a right understanding" between the rival authorities at New York and Albany, and thought that the latter would yield when they saw the king's letters to Nicholson. But this did not satisfy Leisler. He caused Milborne to charge Treat and the Connecticut magistrates with being upholders of "rebellion" in Albany, and demanded that Allyn especially should be prosecuted as a traitor. Allyn calmly rebuked Leisler's "angry letter, stuffed with unjust calumniating charges," and declared that the Connecticut government had advised the gentlemen of Albany "not to contend, but to submit to the present power in the Province of New York, and to unite as one man to oppose the common enemy."†

4 March. Adopting the Albany suggestion of 15 February, Leisler wrote to Coode, of Maryland, asking him to assist New York "to destroy or take Canada," and to invite Virginia to join.

* Doc. Hist., ii., 41, 43, 103; Col. Doc., iii., 636, 701, 716, 719, 721; Wood, 135.

† Doc. Hist., ii., 49, 43-46, 103; Dunlap, i., 150-152.

At the same time he asked Bradstreet what assistance Massachusetts would give, charging that Connecticut had "refused to advise" with New York. The next day, hearing that Livingston had gone on his mission to Boston, Leisler dispatched Blagge thither, and Terneure to Hartford, to apprehend him under a general warrant, which alleged that he had doubted the success of the Prince of Orange's invasion of England.*

CHAP. XII.
1690.

5 March.
Warrant
against
Livingston.

On reaching Hartford, Livingston and his colleagues explained to Treat and his council the condition of affairs at Albany, and in a powerful memorial urged a union of all the English colonies "by sea and land to invade and subdue Canada." The Connecticut authorities, however, insisted on recalling Bull and his soldiers from Albany. At the same time, they informed Leisler that his warrant to apprehend Livingston was defective, and, promising to join "with all the rest of the Colonies and Provinces in this wilderness to do what we shall judge necessary to manage the design against the French," advised moderation and as little alteration as possible among the officers at Albany, so "that nothing be done to discourage the Five Nations in amity with us."†

11 March.

13 March.
Action of
Connecticut.

From Hartford the Albany agents hastened to Boston, where they earnestly pressed the capture of Quebec, which would be "the downfall of Anti-christ," and the plunder would "ten times pay the charge of the expedition." Lamenting the distractions in New York, where, by reason of Leisler's ambition, "there is neither pleasure nor satisfaction to be in office," they set forth the influence the French had gained over the Iroquois by their Jesuit missionaries, and urged that "young divines" should be sent from Massachusetts "to instruct the Indians, especially the Mohawks, in the true Protestant religion, since divers have an inclination to it, one being by the great pains and industry of our minister, Domine Delliuss, brought so far that he made his public confession in the church at Albany." Massachusetts, however, received Livingston's propositions coldly. She was fitting out an expedition, under the command of Phipps, against Port Royal, where spoil was nearer. But

20 March.

Massachu-
setts treats
the Albany
agents
coldly.

* Doc. Hist., II., 23, 29, 35, 100-104, 114-117; Col. Doc., III., 747; Dunlap, I., 132, 133; ante, 609.

† Col. Doc., III., 692-694, 696; Doc. Hist., II., 105, 106.

CHAP. XII.

1690.

But refuses
to let Liv-
ingston be
apprehend-
ed.
1 April.

when Blagge demanded the apprehension of Livingston under Leisler's warrant, he was flatly "denied." The Albany idea of taking Canada, however, was not dropped, and a sloop which Andros had built in Maine was dispatched from Boston to England to beg a supply of powder. By that conveyance Ashurst was informed that, "there being now wars between Holland and France, some are fearful least the Hollanders should essay the possessing themselves of Canada," and that it was better that the English should have it rather than "the French, or Dutch either."*

4 March.
Leisler
sends De
Bruyn,
Provoost,
and Mil-
borne to
Albany.

Meanwhile Leisler had gathered a force of one hundred and sixty men in New York and its neighborhood, and had commissioned De Bruyn, Provoost, and Milborne to go with it to Albany, and "superintend, direct, order and controul" every thing there, and obtain possession of Fort Orange. A similar commission authorized them to "order, settle, and establish" the county of Ulster. The commissioners hastened up the river, taking with them presents to gain the Iroquois, and clothing for the refugees of Schenectady.†

17 March.

On reaching Albany, Leisler's commissioners found its Convention ready to act on the advice of Connecticut, and recognize the authority in New York. A joint meeting was held, and Bull was desired to remain; but this he could not do; and, as he left Albany, he and his company received "uncivil entreaty" from Milborne. Fort Orange was surrendered upon written conditions, which were soon violated, and most of the soldiers discharged, including Lieutenant Sharpe, who had been wounded by the bursting of a cannon in firing the alarm for Schenectady. To calm all ani-

20 March.
Fort Or-
ange sur-
rendered to
Leisler.

22 March.

Mayor
Schuyler
confirmed.

mosities, it was ordered that no one should asperse or reproach another, under penalty of breach of the peace. Schuyler, the mayor, and the other city officers, were confirmed in their places, and all persons charged to respect and obey them. Arrangements were made for an expedition against the French, and a detachment was sent to keep watch at Crown Point.‡

25 March.

* Col. Doc., iii., 695-699, 700, 769; Doc. Hist., ii., 104, 127, 151; Hatch., I., 256, 267, 283. Mather, I., 183; ii., 439, 596; Chalmers, ii., 52-55, 88, 89.

† Doc. Hist., ii., 41, 109, 101, 163, 111, 112; Col. Doc., iii., 702, 703, 717. The remainder of the money that was gathered for the redemption of the slaves in Turkey in 1678, which Andros had given to build a new church in N. York, had been laid out in Osnaburgh Street, which Leisler seized and sent to Albany with Milborne: Col. Doc., iii., 315, 717; Doc. Hist., ii., ante, 331, 506.

‡ Doc. Hist., ii., 107-112; Col. Doc., iii., 705, 708, 709, 710, 716, 725.

Leaving Provost and De Bruyn at Albany, Milborne went down to Esopus, and then proceeded to New York, accompanied by two Mohawk sachems, who received "great satisfaction" from Leisler. The next day Milborne went back to Albany with additional forces, and a large quantity of maize was sent up from Kingston to supply the soldiers.*

CHAP. XII.

1690.

1 April.
Mohawks
at New
York.

As money was indispensable, Leisler, assuming the charter of 1683 to be in force, had issued his writ to the several counties, requiring them to elect and send representatives to New York "to consult debate and conclude all such matters and things as shall be thought necessary for the supply of this Government, in this present conjuncture." But he found the people "very slack" in complying. Suffolk absolutely refused. Easthampton "could not comply" with Leisler's demand to be recognized as the king's lieutenant governor, and informed him that they would petition their majesties to be rejoined to Connecticut. They "distrusted the purity of his motives," and would not submit to him. New writs were accordingly issued of the same tenor, under which several of the counties chose representatives "by a few people" of Leisler's side. Albany elected Jan Jansen Bleecker and Ryer Schermerhorn. New York chose John Spratt, Cornelius Pluvier, Robert Walters, and William Beekman. The latter excused himself from attending. Pearson, of Queens, refused to sit. Ulster, Kings, and Westchester sent some "very weak men." The Assembly, thus constituted, met at the house of Walters, the son-in-law of Leisler, and, having chosen Spratt to be speaker, passed an act "to raise throughout the whole government three pence in every pound real and personal, to be paid the first of June; and that all towns and places should have equal freedom to bould and bake, and to transport where they please, directly to what place or country they think it fit, any thing their places afford, and that the one place should have no more privileges than the other." This was aimed against the bolting monopoly which New York had enjoyed under Andros and Dongan, of which Albany and Ulster were jealous. But petitions from the inhabitants coming in "for the prisoners to be set at liberty, and that their griev-

23 Feb.

Suffolk dis-
regards
Leisler's
authority.
15 March.

10 March.

8 April.
Represent-
atives
elected.21 April.
Assembly
meets.

* Doc. Hist., II., 113, 119, 127, 132; Col. Doc., III., 793, 716.

CHAP. XII. ances might be redressed," Leisler hastily prorogued his Assembly to September when he saw "they intended to work with the prisoners." The German tyrant justly feared a popular inquisition, and doubted the fidelity of his professed friends, some of whom were gentlemen.*

1690.

If Leisler was a despot and a usurper, he had more executive ability than most of the colonial governors in North America under British authority. In his youth he had struggled against his superiors in social position, while his talent and his mercantile training would have admirably fitted him to command if his education had equaled his experience in practical life. Like most men suddenly exalted, he was beguiled by vanity. He was as honest as he was vain; but his jealousy of gentlemen like Bayard and Van Cortlandt, his wife's own relatives, was so overpowering that he gratified it whenever he could. Nevertheless, Leisler was a true, though blundering colonial patriot. Sagaciously adopting the Albany idea jointly to attack Canada, he urged Massachusetts, Plymouth, Connecticut, and Maryland to send delegates to New York to concert measures for that purpose. But, at Livingston's suggestion, Massachusetts had already called a New England meeting at Rhode Island. This, however, was abandoned; and the first North American colonial Congress met at New York on the call of Jacob Leisler.†

2 April.
A colonial
Congress
called at
New York.

1 May.

To this New York Congress Massachusetts sent William Stoughton and Samuel Sewall; Plymouth, Major John Wadley; and Connecticut, Nathan Gold and William Pitkin. New York was represented by Jacob Leisler and Peter de la Noy. Rhode Island sent no delegates, but voted that, as she could not give men, she would raise money in "reasonable proportion." The Congress unanimously agreed that New York should provide four hundred men, Massachusetts one hundred and sixty, Connecticut one hundred and thirty-five, and Plymouth sixty, while Maryland promised one hundred; in all, eight hundred and fifty-five men. It was also agreed that Leisler should appoint the major, or

1 May.
Action of
the Con-
gress.

* Doc. Hist., II., 42, 104, 114, 120, 131, 133, 151, 159; Col. Doc., III., 702, 717; Wood, I, 61, 7, 110; Thompson, I., 163; Smith, I., 42, 68, 95; Chalmers, II., 76; Council Journals, I., 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

† D. S. Hist., II., 30, 35, 37, 117, 125, 126, 130, 131, 132, 133, 134; Col. Doc., III., 697, 698, 699, 700; Mass. H. S. Coll., XXXV., 222, 223, 244, 249, 250; Trumbull, I., 382; Hutchinson, I., 427; Bancroft, III., 152; ante, 610.

"chief commander," and the other colonies the next captain. But, in Walley's judgment, "he is a man that carries on some matters too arbitrary." The Massachusetts delegates, however, "would not engage that their fleet should go in Canada River for Quebec; only if they had success at Port Royal, where they were bound they believed, being thereby encouraged, they should resolve then."²

CHAP. XII.
1690.

To stimulate Massachusetts, Leisler fitted out three vessels for the capture of Quebec—one a privateer of twenty guns, another a brigantine belonging to De Peyster, and the other a Bermudan sloop, commanded by Captains Mason, Goderis, and Bollen. They were commissioned to attack Canada and take French prizes at sea, and Mason was to act as admiral. Two sloops were also sent to cruise about Block Island and the Sound against the French. Thus Leisler zealously imitated the early energy of Nicolls in 1667.[†]

19 May.
New York
cruiser
against the
French.

Meanwhile the answer of the Iroquois at their January conference with the French had reached Montreal. Frontenac resolved to restore several of the prisoners, and sent back a reply, which he wished La Montan to convey; but, as he declined, the Chevalier D'Eau, a "reduced" or half-pay captain, was chosen. D'Eau was accompanied by four Frenchmen, and carried full instructions from Frontenac and messages from Oreouaté, as well as a letter from Lambertville to the Oneida sachem, Father Millet.[‡]

9 March.
Frontenac
sends
D'Eau to
Onondaga.

The authorities at Albany had not been negligent on their side. A conference was held with representatives of the Five Nations, whose speaker, "Diadorus," or Tahnjadoris, accepted the metaphor of the Albanians that the French were like "a fox engendered by a wolf." At the same time, they desired their brethren to maintain peace among themselves, "and join together the several colonies of New England and Virginia, likewise those of Albany, who have always sat under the green tree; otherwise we shall destroy one another." They also recommended that Montreal

3 May.
Iroquois
Conference
at Albany.

* Doc. Hist., ii., 132-135, 133, 143, 144; Col. Doc., iii., 717, 727, 732; R. I. Col. Rec., iii., 273; Mass. H. S. Coll., xxxv., 244, 245, 247, 249, 250, 251, 252; Hutch., i., 397; Trumbull, i., 582; Bancroft, iii., 183, 184; Arnold, i., 520; Chalmers, ii., 70, 71. In the Proceedings of the New York Historical Society for 1849, p. 104, 105, is an interesting extract from Sewall's Diary, giving an account of his journey to and from New York.

† Doc. Hist., ii., 132, 133, 141, 151, 152, 153, 155; Col. Doc., iii., 717, 727, 732, 751; Valentine's Man., 1857, 462; Dunlap, i., 1-5; N. Y. H. S. Coll. (1868), 221, 227; *ante*, 197.

‡ Col. Doc., iii., 744, 745, 733-736; ix., 465, 466, 467, 470; La Montan, i., 205; La Petherie, iii., 63-67, 70-74; Charlevoix, ii., 420-429; Colden, i., 118, 129; *ante*, 665.

CHAP. XII. should be attacked by land, and Quebec by sea; that Schenectady should be fortified anew, as their own castles had been; and they promised that the Iroquois confederates would furnish eighteen hundred men to assist in conquering Canada.*

27 May. Orders were at the same time dispatched by Schuyler and others to apprehend the French agents on their arrival at Onondaga, and send them to Albany. They were accordingly seized, and despoiled of all their letters and presents. Four Frenchmen were given to the savages, who burned two of them. D'Eau, with his papers, was sent to Albany, and thence to New-York. Among his papers was the Latin letter of Lamberville to Millet, which, containing some expressions of good-will toward Domine Dellius, of Albany, gave Leisler the opportunity to charge that clergyman with "treasonable correspondence" with the enemy.†

13 May. Another expedition had meanwhile been dispatched from Montreal to act against the English. It was composed of "Praying" or Caghnawaga Indians, and commanded by Kryn, the great Mohawk, and was accompanied by some French officers who had been at the burning of Schenectady. Going by way of the Sorel River and Lake Champlain, the expedition took several Iroquois and eight English women prisoners. On their return they were attacked at Salmon River by a party of Algonquins and Abenakis, who, mistaking them for English, killed two and wounded ten. Among the slain was Kryn, the "Great Mohawk," whose death was the more deplored, because Frontenac and the Jesuits had hoped that through his influence all the New-York Mohawks would eventually be drawn to Canada.‡

29 May. Ensign Stoll now returned from London with galling news to Leisler. The king had taken no notice of him, but had appointed Sloughter governor of New-York, and Nich-

* Doc. Hist., ii., 136, 139; Col. Doc., iii., 712-714, 783. Colben does not notice this conference. There is a remarkable difference in style between the minutes kept by Livingston and those which now seem to have been recorded by Milborne.

† Col. Doc., iii., 714, 715, 732, 733, 753; iv., 214, 219; ix., 470; Doc. Hist., ii., 128, 144, 150, 151; La Potherie, iii., 74, 119; La Hontan, i., 266, 267; Charlevoix, iii., 83, 84; Col. Doc., i., 129; Smith, i., 106; Millet's letter, 43, 52.

‡ Col. Doc., iii., 716, 737; ix., 473, 474; La Potherie, iii., 81-83; Charlevoix, iii., 89-121; Shea's Missions, 329; Doc. Hist., ii., 151.

olson lieutenant governor of Virginia, where the latter soon arrived. "The merchants, traders, and others, the principal inhabitants" of New York, accordingly drew up an address to William and Mary, complaining that for nearly a year they had been oppressed by the "arbitrary power" exercised by some "ill men," who, in spite of the king's proclamation, ruled New York "by the sword, at the sole will of an insolent alien [meaning Leisler, who was a German], assisted by some few, whom we can give no better name than a rabble, those who formerly were scarce thought fit to bear the meanest offices among us, several of whom also can be proved guilty of enormous crimes." These persons imprisoned at will, opened letters, seized estates, plundered houses, and abused the ministers of the Reformed Dutch Churches, so that "several of the best and most considerable inhabitants are forced to retire from their habitations to avoid their fury." This address was signed by Dominies Varick, of Long Island, and Perret, of the French Church in New York, with several elders, and deacons, and other prominent persons.*

The people of New York not in Leisler's interest now became restive. "In a most audacious manner" they demanded the release of their fellow-citizens, whom he had imprisoned and kept captive because they would not acknowledge his government; and many refused to pay the tax which his pretended Assembly had imposed. Leisler himself was assaulted in the street, but his opposers were quickly overpowered, some "twenty odd" of whom were put in prison, charged with being "Papists." There was probably more real despotism in New York at this moment than in any other government pretending to be "popular." To clinch his power, Leisler proclaimed that all who would not sign a declaration of fidelity to himself as representing King William "shall be deemed and esteemed enemies to his Majesty and country, and shall be treated accordingly." Dispatches to the king and Lord Shrewsbury were also prepared by Leisler and his council, which were intended to be sent to England by Milborne, but which were intrusted to

CHAP. XII.

1690.

19 May.
Address of
the principal
inhabitants of
New York
to William
and Mary.

6 June.

Leisler as-
saulted.

7 June.

23 June.

24 June.
Letters to
the king
and Lord
Shrews-
bury sent
by Blagge.

* Col. Doc., III., 415, 519, 521, 548, 549, 552; Doc. Hist., II., 247; Chalmers's Annals, I., 610; Bancroft, III., 52. The very imperfect extract of this address by Chalmers has misled some later writers.

CHAP. XII. Blaggè, as Milborne could not well be spared from New York at this time.*

1690.

25 May.
Milborne
appointed
general by
Leisler.
Objected to
by Connect-
icut and
Massachu-
setts.

20 June.

Leisler had prevailed on the colonial Congress in May to allow him to name the commander of the expedition against Canada. Accordingly, he hastened to commission Milborne to lead the forces of New York, New England, and Maryland. This very unfit appointment was especially distasteful to Connecticut, where Winthrop was known to be the best general. Seeing that Massachusetts united with Connecticut in favor of Winthrop, with an "importunity that was irresistible," Leisler appointed him commander, and sent a blank commission for the purpose to Albany. But Massachusetts and Plymouth, which had agreed to contribute forces, recalled them, in consequence of the French attack on Casco Bay.†

14 July.
Winthrop,
appointed
general, to
marches to
Albany.

21 July.

Having received a commission from Governor Treat, of Connecticut, "to command the forces designed against Canada," Winthrop set out from Hartford, accompanied by Livingston. After a week's march "through the difficult and almost impassible parts of the wilderness," the Connecticut general reached Kinderhook, where some of the Albany officers hastened to meet him. On reaching Albany, Winthrop made Livingston's house his headquarters, and "found the design against Canada poorly contrived and little prosecuted, all things confused, and in no readiness or posture for marching." None of the quotas of men were equal to those promised at the New York Congress, and Milborne, as commissary, was inefficient and obnoxious. After several days spent in frivolous disputes, Winthrop accepted the

31 July.

commission which Leisler had sent up to be commander-in-chief of the combined expedition of New York, New England, and Maryland against Canada. The forces moved northward, through Stillwater and Saratoga, to Wood Creek, near the head of Lake Champlain, where a council of war was held. The savages advised the army to advance at once to Isle La Motte, at the foot of the lake, where the Western Iroquois were to meet the expedition. But word soon came

7 August.
Council of
war at
Wood
Creek.

* Col. Doc., iii., 732-743, 750, 764, 765; Doc. Hist., ii., 14, 147, 148, 151; N. Y. H. S. Coll. (1568), 325, 327. If Milborne had gone to England, he would have escaped the fate which befell him.

† Doc. Hist., ii., 135, 142-147, 149-762, 176; Col. Doc., iii., 702-707, 727-731, 732; Mass. H. S. Coll., xxxv., 252-260; *ibid.*, 696.

that Milborne could furnish no provisions from Albany, and that the Senecas were suffering from the epidemic small-pox, and "that the Great God had stopt their way." Attempts were nevertheless made to construct canoes of elm instead of birch; but it was so late in the season that the bark would not peel. The small-pox now broke out in the camp, and another council of war was called, at which "it was thought most advisable to return with the Army." This decision saved Canada from her threatened danger. But, by the advice of the savages, Captain John Schuyler, a younger brother of the Mayor of Albany, was detached, with forty Christians and one hundred and twenty Mohawks, Schatacooks, and River Indians, to attack the Prairie de la Madeleine, opposite Montreal. Disheartened by circumstances which he could not control, Winthrop led his army back, "many of the soldiers being sick and lame," and in a few days encamped it at Greenbush, opposite Albany.*

CHAP. XII.

1690.

9 August.
Epidemic
small-pox.15 August.
The army
marches
back to
Albany.

20 August.

9 August.

Meanwhile Phipps had sailed, with a large force, from Boston to attack Quebec. . Knowing this, and furious at the return of Winthrop's army, Leisler hastened to Albany. Assuming supreme power, he "questioned" the Connecticut general and put him in prison, with other officers, whom he selected as "chief actors." This outrage excited the Mohawks and the Connecticut soldiers at Greenbush, and Leisler was obliged to set free his prisoners. Nevertheless, he insolently required Winthrop "to make his defence" before him at New York. The Connecticut government at once sharply rebuked the vanity of the German demagogue. "The army being confederate," it wrote, "if you be concerned, so are we, and the rest; and that you alone should judge upon the General's and Council of war's actions, will infringe our liberty." The wholesome reproof was added "that a prison is not a *catholicon* for all state maladies, though so much used by you."†

27 August.
Leisler, at
Albany,
imprisons
Winthrop.

1 Sept.

The long-talked-of conquest of Canada had failed; yet one masterly achievement blunted the edge of disappointment in New York. Captain John Schuyler's expedition

* Col. Doc., iii., 752, 753; iv., 193-196; ix., 492, 495, 513, 514; Doc. Hist., ii., 149, 151, 152, 157, 158, 169, 162, 170; La Potherie, iii., 126, 127; Charlevoix, iii., 86-94; Trumbull, i., 382, 383; Miller's letter, 44, 46, 47; Chalmers, ii., 55, 56.

† Col. Doc., iii., 753; Doc. Hist., ii., 169, 162, 163; Hutch., i., 490; Trumbull, i., 384, 385, 540, 541; Miller's letter, 47; Chalmers, Rev. Col., i., 259; Annals, ii., 57; Dunlap, i., 191; Valentine's Man., 1861, 639.

CHAP. XII. was a brilliant success. Leaving their canoes at Chambly, they marched to La Prairie, opposite Montreal. Frontenac

1690.

22 August.

1 Sept.

25 August.

4 Sept.

Captain
John
Schuyler's
expedition
successful.

30 August.

had meanwhile gone up to Montreal from Quebec to oppose the expected expedition, and a force of twelve hundred men was reviewed; but no enemy appearing, vigilance was relaxed. Learning from his spies that the farmers and the garrison were all cutting grain, Schuyler endeavored to gain possession of the fort; but the eagerness of the young savages precipitated the attack, and enabled many of the French to escape. Nineteen prisoners were taken and six killed; all the houses and haystacks were burned, and one hundred and fifty head of cattle destroyed. Schuyler then fell back to Chambly and returned to Albany, having lost only one European and six Iroquois. Thus Schenectady was avenged.*

15 Sept.

On his return to New York, Leisler wrote to Bradstreet, at Boston, charging the failure of the Albany expedition upon Winthrop's "treachery and cowardice," and Livingston's confederacy with the New-England officers. His reply to Connecticut was still more intemperate. Winthrop was charged with lax morality, and called upon to vindicate himself; while the Hartford authorities were threatened that, when "searched with candles," their nakedness would be uncovered. This, however, did not affect the General Court, who approved Winthrop's conduct, and thanked him for his "fidelity, valor, and prudence."†

30 Sept.
Leisler's
letters to
Massachu-
setts and
Connecti-
cut.

9 October.

The Massachusetts naval expedition against Quebec had meanwhile sailed under the command of Phipps, with Walley, of Plymouth, as general of the land forces. It consisted of thirty or forty vessels and two thousand men, and was more than a month in reaching Tadoussac. Hearing of its approach, Frontenac hastened with a large force from Montreal to Quebec, which he quickly put in a state of defense. Two days afterward Phipps anchored at Beauport, and sent a pompous summons, which Frontenac was required to answer within an hour. The veteran refused to negotiate with those who served the Prince of Orange, "a usurper,"

9 August.

23 Sept.

4 Oct.

10 Oct.

* Col. Doc., iii., 730; iv., 196; iv., 477-481; Doc. Hist., ii., 160-162, 169; New Jersey H. S. Proc., i., 72-74; La Hontan, i., 297, 298; La Potherie, iii., 98, 101, 102; Charlevoix, iii., 71; Chalmers, iii., 74.

† Hatch, i., 399, 400; Doc. Hist., ii., 169, 170; Trumbull, i., 385; Dunlap, i., 1-2, 11-12; N. Y. H. S. Proc., 1819, 187.

and would answer only by his cannon. An ill-conducted attack was made and vigorously repulsed, and the discomfited expedition retreated. A church was dedicated at Quebec to "our Lady of the Victory," and Louis ordered a medal to be struck in honor of one of the most glorious deeds of his reign. Phipps returned humiliated and without spoil to Massachusetts, which was obliged to issue the first paper bills in America to pay its public creditors.*

CHAP. XII.

1690.

8 Oct.
Phipps re-
pulsed at
Quebec.Paper
money.

During the summer, however, the three vessels which Leisler had fitted out had been quite successful at Port Royal and Isle Percée. On one of the captured French vessels was a letter from Louis to Frontenac, intimating that he could afford no further assistance to Canada this year. Hearing that some French privateers were committing excesses at Nantucket and Block Island, Leisler commissioned four other vessels to cruise against them. Several French prizes were taken and brought in triumph to New York, which were condemned by a Court of Admiralty appointed by Leisler, of which De la Noy was president, while Milborne acted as attorney general.†

22 July.

1 August.
New York
cruisers
take
French
prizes.

23 July.

17 Sept.

Owing to Leisler's absence in Albany, the Assembly, which he had prorogued to the first of September, did not meet, and new writs were issued summoning it for a later day. At its meeting the Assembly enacted a law requiring all persons who had left the province to return within three weeks after its publication, under pain of being "deemed and esteemed as persons disobedient to the government." Another law levied a new tax for the support of two hundred men as Leisler's garrison in the fort. A third law declared that any person refusing to accept a civil or military commission from Leisler should be fined seventy-five pounds; that any one leaving Albany or Ulster without his permission should be fined one hundred pounds; that no merchandise from those counties should be brought down the Hudson River without his license, under penalty of confiscation;

11 Sept.

18 Sept.
Assembly
at New
York.

2 October.

4 October.
Laws
passed.

* Col. Dec. ix., 492, 495-497, 491-494, 495; La Potherie, iii., 111-123; La Montan, 293-217; Charlevoix, iii., 94-95, 119-128, 139, 131; v., 107; Hawkin's Quebec, 133, 157-149, 220, 314; Hutch. Mass. i., 299-492, 554-566; Mass. H. S. Coll., xxxv., 262-268; Plymouth Rec., vi., 248, 249; Humble Address, etc., by L. Hammond; Chalmers, ii., 262-8, 80; Andros Tracts; Smith, i., 167, 168. Collier, i., 167, 128, wrongly dates this expedition in 1691.

† Ucc. Hist., ii., 141, 154-159, 164-168, 172, 173, 229, 230; Col. Dec., iii., 751-752; ix., 452, 475, 477; La Potherie, iii., 95, 100; Charlevoix, iii., 161-163; Mass. H. S. Coll., xxvi., 263-274; Arnold, i., 521, 522; N. Y. H. S. Coll. (1858), 322, 327; Col. Mass., xxxvi., ante, 617.

and that "all persons" who had left those counties must return within fourteen days after publication of the law, "at their utmost perils." In the annals of "popular" legislation, it would be difficult to find more despotic laws than these.*

10 October. Albany of-
ficers. Leisler now superseded his former commission to De Bruyn, Provoost, and Milborne, and appointed Staats, Wendell, Bleecker, Bogardus, and Schermerhorn "to superintend, direct, order and controul all matters and things relating to the city and county of Albany, and the safety and defense of the subjects therein, according to the laws of this Province, and the present establishment." Wendell

5 October. was also commissioned to be mayor in place of Schuyler,

14 October. and on King James's birthday aldermen and assistants were elected who all appear to have been Leisler's friends.†

20 October. Letters were also written to the king and to Lord Shrewsbury, as it was not known that he had resigned his office of secretary of state. "New England's perfidy and disappointments" were set forth offensively, and the "Cocceian" Domine Dellius, of Albany, and others, denounced as traitors. These letters, which were the last that Leisler addressed to England, seem to have been written by Milborne.‡

10 October. Leisler quarrels
with the
Dutch and
French
ministers. Among other quarrels, Leisler engaged in several with the Dutch and French ministers. Dellius at Albany, who was a favorite with the Indians, had opposed his authority, would pray only for the crown, and not for the King of England, and had been kindly spoken of by the Jesuit Lamberville. Leisler endeavored to imprison him in New York, but Dellius wisely escaped to Boston, whence he intended returning to Europe, and complain. Varick, of Flatbush, who had signed the address to the king and queen of the previous May, for uttering his sentiments too freely, was obliged to fly to Newcastle, and, on returning to his house, was arrested and imprisoned "for speaking treasonable words against Captain Leisler and the Fort." After a trial before De la Noy and others, under a special commission, he was sentenced "to be deprived from his ministerial function, amerced in a fine of eighty pounds, and to remain in

* Doc. Hist., ii., 153, 158, 159, 163, 181, 200, 201; Col. Doc., iii., 753; Col. MSS., xxxvi., 118; Council Journals, i., Int., xxv.; S. Wood, 108; ante, 616.

† Doc. Hist., ii., 100, 171, 199, 200; Munsell, ii., 112.

‡ Col. Doc., iii., 751-754; Mass. H. S. Coll., xxxv., 277.

close prison until that fine should be paid." Upon making his submission to Leisler, he was released. Selyns offered bail for Varick, but he was refused, and "grossly abused by Leisler himself in the church at the time of divine service, and threatened to be silenced." The French ministers, Perret and Daillé, were often menaced "because they would not approve of his power and disorderly proceedings."*

A colony of French Huguenots had meanwhile been founded at New Rochelle, upon ground sold to them by Leisler, who had bought it of Pell. Its first minister was the Reverend David Bourepas, who, a few years afterward, removed to Staten Island. Small as it was, the new colony, greatly to its disgust, was called upon to raise the taxes imposed by Leisler's Assembly.†

Discontent was now spreading through the province. The people would not readily pay their taxes, especially as the Canada expedition had failed, for which Leisler was held responsible. In Queens County they declared against his government, and he suspended the session of the court "until the said rebels be suppressed, and the counties on Long Island reduced to their obedience." Milborne was also commissioned to raise what force he could, and, "with all violence and hostility," to subdue all "that are refractory to the established government." Another commission directed Edsall and Williams to assist Milborne, and examine vessels, search houses, and secure all "suspected persons." These orders were executed with such predatory violence that the inhabitants of Hempstead, Jamaica, Flushing, and Newtown met and directed Captain John Clapp to write a letter to the king's secretary of state explaining their miserable condition "by the severe oppressions and tyrannical usurpations of Jacob Leisler and his accomplices." The letter was telling and bitter. Leisler was styled a "bold

CHAP. XII.

1690.

29 May.
Huguenots
at New Rochelle.26 October.
Long Island
against
Leisler.28 October.
Milborne to
subdue the
refractory.
30 October.7 November.
Captain
John
Clapp's letter to the
secretary
of state.

* Doc. Hist., iii., 247; Col. Doc., iii., 415, 416, 421, 422, 494, 715, 722, 749, 753, 771; iv., 219, 459, 533; Col. MSS., xxxvi., 142; Corr. Cl. Ass., i.; Murphy's Anthology, 103, 163, 113, 116, 118; N. Y. Christ. Int., 21 Sept. 1851; N. Y. Hist. Coll., (1858), 497, 499. Leisler appears to have been so hostile to Selyns, who had married his daughter Catharine to Walters in February, 1685, that he would not allow him to marry his daughter Mary to Milborne on 3 February, 1690-1; ante, 571. By whom these ceremonies were performed does not appear; compare Vol. Man., 1561, 652, 665; 1562, 604, 611, 649; 1563, 741, 859; Pass Book, iv., 71; New York Marriages (1869), 223, 224.

† Doc. Hist., iii., 171; iii., 520; Col. Doc., iii., 745, 746; Putnam's Westchester, i., 375-399, 414; Church in Westchester, 174-175; Selyns to Clapp, i.; Murphy's Anthology, 120, 127; Dr. De Witt, in N. Y. Hist. Soc. Proc. for 1852-53.



CHAP. XII. usurper," and Milborne's former conviction for clipping coin had made him "famous for nothing but infamy." In
1690.

Adverse
feeling in
New York.

In a barbarous and inhuman manner houses had been plundered by them, women stripped of their apparel, and estates sequestered, "because we would not take commissions from the pretended Lieutenant Governor to be part executioners of his tyrannical will and exorbitant demands, and extort an illegal tax from the subjects." The crimes which Leisler had committed would force him to take shelter under Catiline's maxim, "The ills that I have done can not be safe but by attempting greater;" and the king was besought to "break this heavy yoke of worse than Egyptian bondage." Popular feeling could not be so openly expressed in New York, which was overawed by the fort, and where none were safe but Leisler's "faction." It was alleged, nevertheless, that much of the plunder which he obtained from houses, shops, cellars, and vessels was "sold to his friends in this city, and shipped off for the West Indies and elsewhere."*

16 Novem.

Yet Leisler did not neglect the security of Albany against the French. The Ulster officers were directed to send thither as many men as they could upon the first notice. Viele was also appointed general agent of the province, to go to Onondaga and reside among the Iroquois, to act according to his best "knowledge, skill, and power."†

20 Novem.
Viele agent
at Onondaga.

11 Decem.
Leisler advised by
Boston.

Leisler was now advised from Boston that Governor Sloughter was "daily expected," and that it would be well for him, against whom many "strange reports" had been made, to temper "justice with moderation and mercy," especially when the king's own settlement of the matter was so near. But this good advice had little influence on one who clung to his usurped authority with the tenacious grasp of a despot. His last letter to Treat had not been answered.

1691.

1 January.
Leisler's
abusive letter to
Connecticut.

Milborne therefore drafted for him a characteristically abusive New Year's greeting to Connecticut, in which Saint James was cited as condemning "hypocrites," and the colony reviled for its "fig-leaf" righteousness and its "extent of treachery." This joint "effort" was a coarse and unsuccessful imitation of the usual Puritan style.‡

* Doc. Hist., ii., 173, 174, 175, 247; Col. Doc., iii., 754-756; Wood, 108, 109; Thompson, i., 187; Riker's Newtown, 119, 120; Onderdonk's Queens County, 12; N. Y. H. S. Coll. (1868), 281, 282.

† Doc. Hist., ii., 177, 178.

‡ Doc. Hist., ii., 175, 176, 180; Mass. H. S. Coll., xxxv., 277, 278.

Seeing that even the New York county militia were in disorder, Leisler ordered their major, De Bruyn, to "settle" them. A few days afterward he issued a proclamation requiring the appointment of assessors and collectors of his last tax in each town, at their "utmost peril." But before this spasmodic effort of waning despotism could be accomplished, Leisler's pernicious colonial authority was overthrown.*

CHAP. XII.

1691.

6 Jan.
25 Jan.
Last acts
of Leisler's
despotism.

The revolution which shifted the crown of England from James the Second to William and Mary, at the same time transferred the allegiance of the English colonies from the old to the new sovereigns. Thenceforward Parliament assumed more immediate direction of colonial affairs than it had ever before taken. Nevertheless, the English crown remained the unquestioned sovereign of all British Plantations. But the crown was taught wisdom by experience.

Parliament
and the
crown.

Not less fond of power than James, William ordained for New York a government which continued substantially in operation for nearly a century. It consisted of a governor and council, appointed by the English sovereign, and an Assembly elected by a majority of the freeholders in the several counties of the province. In their mimic sphere these provincial authorities faintly shadowed the king, the lords, and the commons of England. Yet, supreme above miniature colonial legislation soared the undefined prerogative of the crown of England and the imperial arrogance of her Parliament.

1690.

William's
New York
government.

Sloughter's commission from William resembled in form, and in most particulars, those which James had given to Dongan and to Andros. Its chief difference was the authority intrusted to the royal governor and council to summon Assemblies of the freeholders of the province of New York. The governor, with the consent of the Council and a majority of the Assembly of the freeholders, could make local laws conformable to those of England, which colonial laws the king might approve or disallow at any time. The governor might negative all laws, and adjourn, prorogue, and dissolve such Assemblies. The new oaths enjoined by Parliament were to be sworn to by the councilors as "the

4 Jan.
Sloughter's
commission.

Assembly.

* Doc. Hist., ii, 151; Col. Doc., iii, 700; *ibid.*, 623.

CHAP. XII. "Test" of 1673, which, not affecting America, James had
 1690. waived. But William now required it to be taken, as well
 as that for the due execution of their places. Like Dongan and Andros, Sloughter was authorized to appoint judges, erect courts, pardon offenders, collate ministers in vacant benefices, command the militia, execute martial law, and act as vice-admiral. In case of his death or absence from the province, his duties were to be executed by the commander-in-chief, if the king should appoint one, and if not, by "the first counselor," who was to act as president, with the usual "powers and preeminences."*

Council.

31 Jan.
 Sloughter's
 instructions.

William's instructions to Sloughter were also modeled in most respects exactly after those which James had given to Dongan and Andros. Sloughter, however, was required to cause the Test of 1673 to be subscribed by all officers, besides their other oaths, and was directed to appoint an attorney general and call a Court of Exchequer. The former orders respecting the Church of England were renewed, by which the Bishop of London was to have ecclesiastical jurisdiction in New York, certifying ministers and licensing schoolmasters. The governor, however, could collate to benefices, grant marriage licenses, and have the probate of wills as surrogate. Liberty of conscience, which James had granted to all peaceable inhabitants, was restricted by William to all such persons "except Papists." The old instructions limiting the liberty of printing was repeated in the same words. The royal councilors in New York named by William were Frederick Phillipse, Stephen van Cortlandt, Nicholas Bayard, William Smith, Gabriel Minvielle, Chidley Brooke, William Nicolls, Nicholas de Meyer, Francis Rombouts, Thomas Willett, William Pinhorne, and John Haines. Of these, Phillipse, Van Cortlandt, and Bayard had been Andros's former counselors, and their reappointment by the Dutch king showed that he approved of their loyal conduct under Nicholson. But he left out Leisler, because he was a colonial demagogue, with brains and honesty, but blunder-headed, and Brockholls and Baxter, because they were

Councilors.

* Col. Doc., iii., 377-382, 537-542, 623-628; Commissions, ii., 3; Narcissus Luttrell, ii., 2; *ante*, 201, 202, 264, 452-455, 502-504, 534. It will be remembered that the English "Test Act" of 1673 required all officers in England to take oaths of allegiance and supremacy to the king, receive the Sacrament according to the English Episcopal form, and sign a declaration against the Romish doctrine of transubstantiation: *ante*, 204.

"Papists," while he appointed Smith, Minvielle, Rombouts, CHAP. XII.
and De Meyer, nominated by Dongan.*

In the mean time the acting authorities in Massachusetts 1690.
had sullenly obeyed the royal command to send to England,
to answer "what may be objected against them," Andros, Andros and
others sent
to England.
Dudley, Palmer, Randolph, West, Graham, Farewell, and
Sherlock, whom they had kept in close confinement. The
prisoners were meanly shipped on board the deeply-laden 14 Feb.
bark *Mehitable*, in which they "endured all the miseries of
a troublesome winter voyage." But three days before the 11 Feb.
Mehitable sailed, Cooke and Oakes were dispatched in the
Martin, as special agents of the insurgents, to assist Mather
and Ashurst, on the part of Massachusetts. With them sail-
ed Wiswall, of Plymouth, who was "an artist at sea." When
Andros and his fellow-prisoners appeared before the Plan- 10 April.
tation Committee, they were ready to charge Massachusetts
with "rebellion against lawful authority, and imprisoning
the King's Governor." The agents of that colony were
then required "to give the reasons of the opposition to Sir 14 April.
Edmund and his authority." This was done in an unsign- 17 April.
ed paper, which the committee, of course, disregarded.
Upon their report the king ordered the prisoners to be dis- 24 April.
charged. A month afterward Andros submitted to the Andros dis-
charged,
27 May.
committee a full report of his administration, which was
answered by the Massachusetts agents. But William, full 30 May.
of Irish affairs, took no further notice of this New England
quarrel.†

Andros being thus absolved by his sovereign, Dudley and
Graham, with their associates, shared the triumph of their
chief. The question of a new charter for Massachusetts
was left undecided, and meanwhile the king directed that
Dudley should be added to the Council of New York as its Dudley.

* Col. Doc., iii., 300-309, 417, 545-549, 685-691; Chalmers, ii., 91; N. Y. H. S. Coll. (1865), 399; Wood, i., 152.

† Doc. Hist., ii., 42; Chalmers's Annals, ii., 57, 28, 59, 61, 89; Mass. H. S. Coll., xxxii., 299, 300, 391; xxxv., 225-229; Col. Doc., ii., 772-779; Maine H. S. Coll., v., 393, 398; Hutch. Mass., i., 588, 391, 393-395; Col. Doc., 573; Barry, i., 549, 511; Arnold, i., 515; R. I. Rec., iii., 256, 257, 281-285; Narcissus Luttrell, ii., 32; Hist. Mag., i., 342; Palmer's Impartial Account, Preface; Rev. in N. E. Just., in Force's Tracts, iv., ix., 9, 10; Andros Tracts; Palfrey, iii., 582, note; ante, 593.

While imprisoned in Boston, Palmer drew up his "*Impartial Account*," which he could circulate there only in manuscript, it being branded with the hard name of a Treasonable and seditious libel;" but, on reaching more liberal London, he had it printed "*for Edward Poole, at the Ship, over against the Royal Exchange, in Cornhill, 1690.*" Palmer's "*Account*" has been reprinted in the Andros Tracts, together with an answer to it, entitled "*The Reaction in New England Justified*," which also makes No. 9 of Force's Tracts, iv.

CHAP. XII. first member. Graham was also recommended to be made recorder and attorney general.*

1690.

Graham.
26 April.

New York
Records.

30 April.

31 May.
New provincial
seal.

The king in Council also ordered that one of the sloops built by Andros, together with the guns taken from Pemaquid, and the New York Records which had been carried to Boston, should be delivered to Sloughter; and a letter was accordingly written to the acting authorities of Massachusetts. A new seal was likewise appointed for New York, and delivered to Sloughter. It represented on one side the effigies of the king and queen, with two Indians kneeling and offering presents of beaver, and on the other the royal arms, with appropriate inscriptions.†

1 July.

7 October.
Soldiers for
New York.

It was more than ever important that Sloughter should hasten to his government; yet, after all the delays that had already occurred, his departure was again retarded. The frigate appointed to carry him to New York was detached as a convoy to Ireland, where William went to conduct the campaign in person. The defeat of James at the River Boyne enabled the king to return soon afterward triumphantly to London. The French, however, were still very strong at sea. It was so difficult to obtain convoys that English merchants were obliged to hire the protection of Dutch privateers. At length the frigate Archangel and three smaller vessels were assigned to convey Sloughter, with two companies of soldiers, from Spithead to New York. Of one of these companies Sloughter himself was made the captain. The other was commanded by Major Richard Ingoldesby, of "a worthy family," but "a rash, hot-headed man," who had formerly served in Holland, and had just returned from victorious service under William in Ireland. Ingoldesby probably owed his promotion to the friendship of the eccentric Marquis of Winchester, whom William had made Duke of Bolton. His commission required him to obey the royal "Governor of New York now and for the time being," but it did not authorize him to act as commander-in-chief in case of Sloughter's absence or death.‡

16 Sept.
Major Richard
Ingoldesby's
commission.

* Col. Doc., iii., 364, 731, 760, 761, 767, 798; iv., 551, 847; Council Min., vi., 2; Doc. Hist., ii., 202; Mass. H. S. Col., xxxv., 277, 279; Hatch. Mass., i., 305; ii., 313. Although Dudley was made a New York councillor, he was not appointed its chief justice by the king, who had intrusted that power to Sloughter, who accordingly commissioned Dudley on 15 May, 1691: Col. Doc., iii., 625; Council Min., vi., 27; post, 626.

† Col. Doc., iii., 427, 546, 624, 710-712, 764; Doc. Hist., iv., 27; Commissions, ii., 16.

‡ Chalmers's Annals, ii., 68, 73, 91; Ray. Col., i., 242; Burnside's Memoirs, 47, 53, 64, 101.

Meanwhile Blagge had reached London with Leisler's dis- CHAP. XII.
patches of June, and submitted "a memorial of what has
occurred in New York," with a petition to the king, pray- **1690.**
ing that Leisler's proceedings might be approved, that the Blagge in
London.
Assembly of New York might choose the members of the
Council, and that the petitioner might be heard in person.
Blagge, however, met with no more favor than his prede-
cessor Stoll. So far from recognizing Leisler as lieutenant
governor, or approving his conduct, the king did not even
name him as one of Sloughter's counselors. The Privy
Council referred all the papers received from "Captain Leis- 17 Oct.
His papers
referred to
Sloughter.
ler and others calling themselves the Council of New York,"
as well as the address from its principal inhabitants, to
Sloughter, with directions strictly and impartially to exam-
ine the several allegations on his arrival, and return "a true
and perfect account of the state of that province."*

At length Sloughter set sail from the Isle of Wight for 1 Decem.
Sloughter
sails for
New York
and is car-
ried to Ber-
muda.
Bermuda and New York in the Archangel frigate, Captain
Jasper Hicks, which was to convoy the Beaver, the Canter-
bury, and the store-ship John and James. Ingoldesby, with
his company of soldiers, and Counselor Brooke, who had
also been appointed collector and receiver of New York,
Secretary Clarkson, and others, embarked in the Beaver.
The other soldiers were in the Canterbury. Dudley, the
"first Counsellor" of New York, appears to have sailed di-
rectly to Boston. After keeping company for some time,
the three ships separated at sea from the Archangel, "with-
out any direction or allowance," and made the best of their
way to New York, while the frigate steered for Bermuda.†

The Beaver and the store-ship arrived safely at New **1691.**
York, and presently after, Stephanus van Cortlandt and 29 Jan.
Inglesby
at New
York.
many others came on board, complaining against Leisler,
and urging Ingoldesby to land his soldiers and take posses-
sion of the fort. As the Archangel, with Sloughter on
board, had not yet arrived, Ingoldesby was the highest roy-
al officer in the province. Accordingly, he sent Counselor

113; Narcissus Luttrell, II., 127; Collins's Postage, I., 229; Macaulay, III., 128, 170, 435, 532, 579, 609-677; Doc. Hist., II., 128, 140, 182; Col. Doc., III., 618, 757, 791, 810, 849; iv., 214, 719, 769; Col. MSS., xxxvi., 119; N. Y. H. S. Coll., I, 188, 229, 560.

* Col. Doc., III., 631, 670, 731-750; Doc. Hist., II., 12, 24, 151, 265, 290, 321; Mass. H. S. Coll., xxxv., 277; *infra*, 619, 620.

† Col. Doc., III., 756, 757, 759, 760; iv., 521, 545; Wood, 162; Mass. H. S. Coll., xxxv., 277, 279.

CHAP. XII. Brooke, Lieutenant Shanks, and Ensign Simmes to demand from Leisler possession of the fort for the king's forces and their stores. The fort was certainly the proper place in which Ingoldesby and his soldiers should be quartered, and the king's commissioned officer naturally considered the German usurper no more than a "pretended Governor."

1691. Leisler was "very angry at the demand;" he was willing to receive the king's stores, but not the king's soldiers into the fort, and he asked Brooke "who were appointed of the Council in this Province?" When informed that William had named Phillipse, Van Cortlandt, and Bayard, among others, and not himself, Leisler fell into a passion, and cried out, "*What! those Popish Dogs, Rogues—Sacrament, if the King should send three thousand such, I would cut them all off.*" It was a crushing blow to the colonial demagogue who had thus been reproved by his king, and his taste of power had so infatuated him that he could not "bear the thoughts of a supersedeas," nor conceal his resentment toward those "harbengers, as he judged, of an authority to which he must submit."^{*}

Leisler
very an-
gry.

Leisler's
dilemma.

And now Leisler had to meet a serious dilemma. He had seized the fort, as he pretended that it would not otherwise be safely kept for William. He had usurped the government of New York by sheer impudence, and without the least authority from the English crown. The only person now in the province who held William's commission to command the king's forces there was Ingoldesby, and he was bound to obey Sloughter, and him only, as the royal governor of New York. As the proper place for the royal garrison was the royal fort, Leisler should have let Ingoldesby and his soldiers occupy it at once. If he had done so, much trouble would have been avoided.

Leisler ob-
stinate.

Nevertheless, Leisler resolved to hold out against the change which he saw William intended. Sloughter had not arrived, and perhaps he might not come; while Ingoldesby was only commissioned to obey the king's governor of New York for the time being. Of this technical dilemma Leisler took advantage, and assumed that, in Sloughter's absence, he was himself the commander-in-chief of

^{*} Col. Doc., iii., 567, 561; iv., 5, 6; Doc. Hist., ii., 247, 248; Wood, i., 152; Thompson, i., 263; N. Y. H. S. Coll. (1868), 215, 318, 329, 392.

New York. He refused to give up the fort unless Ingoldes-
 by had directions to that effect from King William or Gov-
 ernor Sloughter. So he sent De la Noy and Milborne to
 inspect Ingoldesby's orders, and offer all sorts of accommo-
 dations for himself, his officers, and soldiers. The absurd-
 ity of Leisler's position is obvious. To this proposition In-
 goldesby and the king's counselors on board the Beaver
 could not assent. They knew that when Sloughter left En-
 gland, William had never recognized Leisler's usurped au-
 thority. So Ingoldesby replied :—"I have seen the copy of
 his Majesty's letter directed to Lieut. Govr. Nicholson, etc.,
 but cannot find how you may derive any authority to your-
 self from thence. I want not the accommodation you spe-
 ciously offer to his Majesty's soldiers under my command.
 Possession of his Majesty's Fort is what I demand from
 you; and if you refuse that, I must esteem you no friend to
 their Majesties King William and Queen Mary." The same
 day Ingoldesby issued a mandate to Captain Samuel Moore,
 of Long Island, for aid against the "rebels" who opposed
 his Majesty. Leisler answered this by a protest, and a call
 of the neighboring militia to obey his own orders. Find-
 ing that malicious rumors had been spread against him, In-
 goldesby declared that his purpose was not to disturb, but
 to protect the people. The next day Leisler announced
 that Sloughter had been appointed governor of the prov-
 ince, and that the fort at New York would be surrendered
 to him on his arrival; and meanwhile directed Ingoldesby
 and his soldiers to be entertained in the city. So he for-
 bade all persons from aiding or comforting the major of
 William's forces, who had no orders from the governor. At
 length Ingoldesby, feeling that the "well affected" in the
 city would stand by him, landed his soldiers, with as much
 caution as if he had "made a descent into an enemies' coun-
 try," and quartered them in the City Hall.*

As Bayard and Nicolls, whom Leisler held close prison-
 ers in the fort, had been named royal counselors by the
 king, Ingoldesby demanded their release. But Leisler re-
 plied that they must "remaine confined until his Majesties
 further orders arrive." For a while there was quiet in New

* Doc. Hist., II., 181-185, 219, 240; Col. Doc., III., 757, 759, 761; IV., 214; Dunlap, I., 125-128; N. Y. H. S. Coll. (1868), 300, 301, 302, 315-320, 353, 354, 400; ante, 593, 597.

CHAP. XII. York; Ingoldesby hoping for, and Leisler dreading the arrival of Sloughter. But as time wore on, and the governor did not come, Leisler and his friends circulated reports that William's officers and soldiers were "Papists and disaffected persons fled from England," and that they had "forged their commissions, and were enemies of King William and Queen Mary." Upon this, Dudley, who had come on from Boston, and the five other members of the royal Council, except Bayard and Nicolls, whom Leisler still kept confined in the fort, met in the city, and endeavored to "dispose the people to a better understanding." It was observed, however, that armed men from all parts of the province and from New Jersey were constantly brought, with large supplies of provisions, into the fort, the guns of which were taken from the river front and trained to bear on the city. The block-houses were likewise filled with the adherents of Leisler, who objected to the king's soldiers going the rounds, and threatened to beat the houses of the citizens "about their ears." This obliged the counselors to call for the militia of the neighboring counties, and to desire "Major Richard Ingoldesby, the chief commander of their Majesties' forces sent thither, to take into his care and charge the defending their Majesties' subjects in this Province from any outrageous and hostile proceedings whatsoever, in such manner, and by such proper and just means as to him shall seem reasonable, 'till such time as his Excellency, Colonel Henry Sloughter, shall arrive, or their Majesties' pleasure shall be farther known." In the absence of the governor, this was evidently the only way in which the king's regular authority could be maintained. Leisler, however, issued another proclamation from Fort William, declaring that he was "constrained to take up arms in defence of their Majesties' supremacy," and denouncing the "illegal, unwarrantable, and undue practices" of the king's own counselors and the second in command of the royal troops under Sloughter. He also wrote to the governor at Bermuda, hoping that his excellency might speedily arrive.*

By order of six of the king's counselors, Matthew Clarkson, the royal secretary of New York, meanwhile wrote to

* Col. Doc., III., 757, 758, 759, 760, 765; Doc. Hist., II., 156, 157, 158, 159, 192, 193; Dunlap, II., 129; N. Y. H. S. Coll. (1865), 204-210.

the government of Connecticut, giving an account of affairs in the province, and soliciting their advice. Secretary Allyn replied, advising the New York counselors "to avoid contest with Captain Leisler, and rather to bear any thing tolerable and redressible, 'till his Excellency's arrival." At the same time he wrote to Leisler that there was no doubt "but that the ships and gentlemen arrived, do come in subordination to his Excellency Colonel Sloughter, and that his Excellency, as Governor from their Majesties, is daily expected at New York; that therefore you so act and demean yourself as may no ways violate their Majesty's subjects peace and safety."*

CHAP. XII.

1691.

Clarkson writes to Connecticut.

11 March. Allyn's advice to Leisler.

The advice of Connecticut was seconded by several of Leisler's own followers. Gerardus Beckman assembled the people of Kings and Queens at the ferry, "to write together a peace address." With this he came to the fort, "to persuade Leisler from such base and inhuman actions." But "the malice of a cholerick man" could not be restrained. Seeing that he meant to hold out, and had already gathered three hundred men in the fort, the Council hastened the militia from the neighboring towns, and in a short time five hundred came into the city. Clarkson wrote again to Connecticut, asking for three or four hundred men to assist in maintaining the king's government. Captain William Kidd, a "blasphemous privateer," was also employed by the Council, and did "many good services" with his vessel.†

"Peace address" from Kings and Queens counties.

16 March.

William Kidd.

Leisler now prepared a long declaration against Ingoldesby and the royal counselors, requiring them to disband their forces; otherwise they would be pursued and destroyed as "impious and unreasonable men." This was sent the next day, and an answer required within two hours. A temperate reply was returned, that the counselors, officers, and soldiers were commissioned by King William, and wished to preserve the peace, and that those who should attack them would be "public enemies to the crown of England."‡

16 March. Leisler's declaration against Ingoldesby.

17 March. Reply of the Council.

Affairs were now coming to a crisis. Having usurped

* Doc. Hist., ii, 185, 188, 189; Dunlap, ii, 190, 200; *ante*, 506. It is marvelous how perversely Dunlap blunders in calling Clarkson the "Secretary of the pretended King's Council of New York."

† Doc. Hist., ii, 180, 190-192, 194-202; Col. Doc., iii, 760; Col. MSS., xxxvi, 16; Council Min., vi, 6; Journals, i, 7; Assembly Journals, i, 7; Hunt's Merchants' Mag., xiv, 31.

‡ Doc. Hist., ii, 193-196; Col. Doc., iii, 758; Dunlap, i, 291-292.

CHAP. XII. the authority of lieutenant governor by a false construction
 1691. of the king's letter to Nicholson, Leisler determined to at-
 tack the king's own commissioned officers and soldiers. In
 the absence of the governor, William had expressly direct-
 ed that the commander-in-chief, or the "first counsellor" ap-
 pointed by himself, should take the administration. The
 Council held that Ingoldesby was such chief commander,
 and therefore Dudley, the first councilor, did not act as pres-
 ident. Certainly both were commissioned directly by Wil-
 liam, which Leisler never had been.*

Ingoldesby
chief com-
mander.

Scarcely a quarter of an hour after he received the reply
 of the Council, Leisler, with his own hand, fired one of the
 guns of the fort at the king's troops as they stood on parade.
 This was followed by other shots at the house where they
 were lodged, and by volleys of musketry, which wounded
 several and killed two, one of whom was an old soldier, Jo-
 siah Browne, said to have been slain by Gouverneur. Balls
 were also heated in the furnace to fire the town. The guns
 of the fort were answered from the land side, and, in firing
 one of the cannon, six persons, among whom was MacGreg-
 orie, were killed. Leisler had meanwhile ordered the block-
 house on the Smith's Vlye, at the opposite side of the city,
 to support the fire from the fort. But Ensign Brasher, its
 commander, not willing to oppose Ingoldesby's soldiers, who
 were preparing to attack, went to the fort for farther orders,
 where he was imprisoned; and, in his absence, the burgher
 guard in the block-house laid down their arms and went to
 their houses.

Persons
killed.

Block-
house sur-
renders.

This defection greatly discouraged Leisler and his adhe-
 rents, now closely invested in the fort. The next day, how-
 ever, he fired a few more shots, which did no harm; while
 Ingoldesby refrained from attacking and held his men on
 the defensive, expecting a sally from the fort, or a batter-
 ing down of the city. To distinguish his men from those
 of Leisler, Ingoldesby directed them to wear white bands on
 their left arms.†

At this critical moment word came that the Archangel
 had anchored below the Narrows. The next morning Dud-

15 March.
19 March.

* Col. Doc., III., 606, 623, 791; Doc. Hist., II., 192; N. Y. H. S. Coll. (1818), 404.

† Col. Doc., III., 306, 753, 760, 765, 767; Doc. Hist., II., 205, 206, 221, 227, 231, 233, 248; Mass. H. S. Coll., xxv., 282-284; N. Y. H. S. Proc., 1840, 197; Coll. (1858), 384, 404. Neither Dunlap (i., 292) nor Hoffman (222) refer to the events of 17 and 18 March.

ley and the other councilors went down in a brigantine and met the long-expected governor. The frigate had been nearly lost upon the rocks at Bermuda, where she was detained three weeks; and six weeks more were consumed in coming from there to Sandy Hook. On learning the condition of affairs in New York, Sloughter hastened up to the city in the ship's pinnace, passing through the Buttermilk Channel, on the east side of Nutton Island. "The noise and shouting that followed upon the Governor's landing" made the hearts of Leisler's followers "to devide." Going at once to the City Hall, Sloughter caused the bell to be rung and his commission to be read, after which he took the required oaths and swore in Councilors Dudley, Philipse, Van Cortlandt, Minvielle, Brooke, Willett, and Pinhorne, all who "were at liberty."^{*} The governor directed Ingoldesby to go with his company and demand entrance into the fort. This was refused by Leisler, who sent Stoll with a letter to Sloughter requiring "orders under the King's own hand, directed to him." Sloughter told Stoll that he was glad he had seen him in England and now again at New York, and Ingoldesby was again directed to demand possession of the fort, the release of Councilors Bayard and Nicolls "to attend his Majesty's service," and the presence of "Leisler, Milborne, and such as are called his Council." To this second demand Leisler answered that the fort was not to be delivered "upon such easy terms;" and he sent Milborne and De la Noy, with Ingoldesby, back to the governor "to capitulate," as if he were an enemy; refusing to attend himself or to set free the royal councilors whom he held in prison. Upon this Sloughter committed Milborne and De la Noy to the guards, and ordered Ingoldesby a third time to demand the surrender of the fort, the enlargement of Bayard and Nicolls, and the attendance of Leisler; "all which was peremptorily and with contempt refused." As it was now nearly midnight, the governor directed the Council to meet the next morning, and so ended this eventful day.[†]

CHAP. XII.

1691.

Arrival of
Sloughter.Councilors
sworn in.Milborne
and De la
Noy im-
prisoned.

* Colonel William Smith, formerly Governor of Tangier, who had come from England to New York in 1686, and, having been recommended by Dongan as a fit councilor, was named in Sloughter's commission, was sworn and took his seat on 25 March, 1691: Council Min., vi., 7; Col. Doc., iii., 417, 685, 768, 767; iv., 1137; Thompson's L. I., ii., 442.

† Col. Doc., iii., 756, 753, 759, 760, 767, 766, 767; iv., 297; D. C. Hist., ii., 202, 222, 240; Chalmers, Rev. Col., i., 213; Annals, i., 534, 611, 612; ii., 71; Council Min., vi., 1, 2; N. Y.

CHAP. XII.

1691.
20 March.

Leisler's
submission
to Slough-
ter.

Leisler's
men sur-
render.

Leisler im-
prisoned,
and Bayard
and Nicolls
set free.

20 March.
Writes for
an Assem-
bly.

21 March.
Officers ap-
pointed.

22 March.
Domine
Selyns's
sermon.

On Friday morning, the twentieth of March, the Council accordingly met the governor at the City Hall. Deprived of Milberne, "his oracle, and De la Noy, his great Minister of State," who were now in custody, Leisler wrote to Slough-ter, "I see very well the stroke of my enemies, who are wishing to cause me some mistakes at the end of the loyalty I owe to my gracious King and Queen;" and he supplicated the governor to receive the fort, and treat him as a person who would give "an exact account of all his actions and conduct." But this letter was not noticed. The governor ordered Ingoldesby and his soldiers to require the men in the fort to ground their arms and march out, promising that all should be pardoned except Leisler and his council. Leisler's men "readily forsook" the fallen demagogue; who was brought before the governor at the City Hall, and the king's letter to Nicholson taken from him, while he, with his councilors, "being found in actual rebellion," were ordered to be committed to the guards. Bayard and Nicolls, freed from their long imprisonment, were sworn of the Council, "and Bayard's chain put on Leisler's legg."^{*}

Sloughter at once took possession of the fort, which he named "William Henry," after the king, and then issued writs for the election of representatives to an Assembly to meet on the ninth of April. John Lawrence was commissioned as mayor of New York, William Pinhorn recorder, and Thomas Clarke coroner. Sheriffs of the several counties were also appointed. Thomas Newton, of Boston, who was reputed to be the best lawyer in America, was appointed attorney general of New York by the governor, who did not know of Graham's "pretensions" for the place. On the first Sunday after Leisler's imprisonment, Domine Selyns, whom he had so coarsely insulted, preached, in the fullness of joy, before the new governor, from the text in the twenty-seventh Psalm, "I had fainted, unless I had be-

II. S. Coll. (1693), 331, 401. It is surprising how Dunsap, l., 202, 203, misrepresents these transactions, and how implicitly Hoffman (223, 224) follows his errors, which later writers have reiterated.

^{*} Col. Doc., III., 767, 780, 794; Doc. Hist., II., 202, 203, 216, 217, 222, 240, 241, 248; Council Min., vi., 2, 3; N. Y. II. S. P. c., 1349, 1071; Coll. (1683), 310, 311, 405; Mass. II. S. Coll., xxxv., 282; Chadmere's Annals, I., 612; South, l., 119; Dunsap, l., 203, 204, 205, 206. It is amusing to see how obstinately Dunsap insists that Leisler was a "Dutchman," and not "a German." Many in our own times maintain the same vulgar error.

lieved to see the goodness of the Lord in the land of the living."**

Councillors Dudley, Van Cortlandt, and Brooke were appointed to examine the prisoners with a view to their committal for trial. The prisoners asked Slaughter for a hearing before himself, under the reference to him by the Privy Council of the previous October. But that order did not relate to the recent transactions, which the governor judged it proper should be tried by a court. A special commission of Oyer and Terminer was accordingly ordered, under the king's large authority to Slaughter. The court consisted of Joseph Dudley and Thomas Johnson, whom the governor forthwith appointed judges in admiralty, together with Sir Robert Robinson, formerly governor of Bermuda; Colonel William Smith, Recorder Pinhorne, and John Lawrence, of the Council; Captain Jasper Hicks, of the frigate Archangel; Major Ingoldesby; and Colonel John Younge, and Captain Isaac Arnold, of Long Island, or any six of them, "one of the Judges always being one." This court was composed of persons "most capable of discerning the truth, and the least prejudiced to those people; who indeed executed their commission with all the lenity and patience imaginable." The prisoners were committed to the custody of Sheriff Lyndall, of New York, for trial before this tribunal on a charge of traitorously levying war against the king and queen, counterfeiting their majesties' great seal, murdering Josiah Browne, and other high misdemeanors. Councillors Bayard, Van Cortlandt, and Pinhorne were directed to prepare the evidence, and Nicolls, Farewell, and Emott were assigned as king's counsel to assist Attorney General Newton.†

When the trial came on, the indictment found by the grand jury charged the prisoners with treason and murder "for holding by force the King's fort against the King's Governor, after the publication of his Commission, and he had thereby become Chief Magistrate, and after demand had been made in the King's name, and in the reducing of

1691.
23 March.

24 March.
Special
commission
of
Oyer and
Terminer.
26 March.

26 March.
The prisoners
committed to
the sheriff.

30 March.

April.
Their indictment
by the
grand jury.

* Council Min., vi., 3, 5, 6; Col. Doc., iii., 721, 755, 761, 767, 768; iv., 219, 551, 547; Min. of N. Y. Gen. Council, i., 353; Smith, i., 112; Dunlap, i., 206; Murphy's Anthology, 114; N. Y. H. S. Coll. (1868), 496; *ante*, 620.

† Council Min., vi., 5, 6, 7, 8, 9; Doc. Hist., ii., 153, 204, 205; Col. Doc., iii., 625, 603, 701, 747, 730, 767, 794; Col. M. S., xxiv., 50; xxxvi., 32; xxxvii., 93, 94; N. Y. Will. &c., 336; Smith, i., 110; Dunlap, i., 206; N. Y. H. S. Coll. (1868), 311, 323, 304, 495; *ante*, 522, 631.

CHAP. XII.

1691.
Petit jury.Leisler and
Milborne
refuse to
plead.13 April.
Opinion of
the govern-
or and
Council on
the king's
letter to
Nicholson.Eight of the prison-
ers con-
victed.Two ac-
quitted.20 April.
Prisoners
sentenced
and re-
prieved.

which lives had been lost." There was nothing alleged against them for any previous irregularities or usurpations of authority. The petit jury was "composed of youths and other bitter men." Eight of the prisoners pleaded not guilty. But Leisler and Milborne refused to plead "until the power be determined whereby such things have been acted," and they insisted that the court should first decide whether the king's letter to Nicholson of 30 July, 1689, "had not given Captain Leisler an authority to take upon him the Government." This was simply begging the question. The court, however, would give no answer until the prisoners had pleaded, which they refused to do. Upon this, the court thought it best to ask the governor and Council whether the king's letter, or any of the papers which had been referred to Sloughier by the Privy Council, "can be understood or interpreted to be and contain any power and direction to Captain Jacob Leisler to take the Government of the Province upon himself, or that the administration thereupon be to be holden good in law." Sloughier and his counselors accordingly declared their opinion "that the aforesaid letters to Captain Nicholson, nor any other papers in the packet directed to his Excellency for a report, contains any power or direction for the government to the said Captain Leisler." Announcing this decision as its own, the court again called on Leisler and Milborne to plead to the indictment. But this they obstinately refused to do, and, "after several hearings as mutes" during eight days, the jury found them guilty, along with Abraham Gouverneur, Gerardus Beckman, Johannes Vermilye, Thomas Williams, Myndert Coerten, and Abraham Brasher. The jury, however, acquitted De la Noy and Edsall. Sentence of death, according to the barbarous English law then in force, was at once pronounced by Dudley, the presiding judge, upon the eight condemned criminals. "By the advice of the Judges," the governor reprieved the prisoners, upon their petition, until the king's pleasure should be known, "unless any insurrection of the people necessitate their execution."**

In obedience to the orders of the Privy Council, Slough-

* Col. Doc., III., 666, 759, 760, 762, 767, 768, 769, 772, 794, 811; iv., 215; Doc. Hist., II., 206, 207, 208, 209, 211, 213, 217, 222, 236, 241, 248; Council Min., vi., 11, 59; Chalmers's Annals, I., 591, 612; II., 71, 72; Rev. Col., I., 24; Assembly Journals, I., 7; Smith, I., 110, 111; Dudley, I., 206, 207; N. Y. H. S. Coll. (1868), 311-317, 320, 350-364, 386, 466; *ant.*, 502, 504, 507.

ter promptly examined into the allegations in the address of the merchants and other inhabitants of New York to the king against Leisler, and found them "severally true, and that they have been very modest in their relation." The memorial of Blagge was reviewed and answered by Bayard and Nicolls, and the governor was "very well satisfied with the truth thereof." In his report to England, Sloughter remarked that, during his absence, Ingoldesby "did behave himself with much prudence and discretion, and make it his whole care to prevent blood-shed, and had he not been covered by the militia, this place had been too hot for him. I was joyfully received amongst them. I find those men against whom the depositions were sent, to be the principal and most loyal men of this place, whom Leisler and Milborne did fear, and therefore grievously oppress. Many that followed Leisler are well enough affected to their Majesties' Government, but through ignorance were put upon to do what they did; and I believe if the chief ring-leaders be made an example, the whole country may be quieted, which otherwise will be hard to do." In his letters to Secretary Nottingham and the Plantation Committee, Sloughter declared that "the loyal and best part of the country is very earnest" for the execution of the prisoners, but advised that, "if his Majesty shall please to grant his pardon for all except Jacob Leisler and Jacob Milborne, it will be a favour."* As Clarkson was the provincial secretary by royal patent, the governor and Council appointed David Jamison, the Scotch "Sweet Singer," who had come back from Boston, to be its clerk. The affairs of Albany and its neighborhood having been considered in Council, letters were ordered to be written to Virginia, Maryland, and the other adjoining colonies, asking assistance to New York against the French and Indians, "the common enemy of the English in America." Domine Dellius, who had hastened back to New York after the fall of Leisler, was now, in consideration of his services among the Mohawks, allowed the sixty pounds "formerly paid yearly to two Romish Priests that attended on Governor Dongan."†

CHAP. XII.
1691.

27 April.
Blagge's
memorial
answered.
7 May.
Sloughter's
reports to
England.

27 March.
6 May.
7 May.

15 April.
Jamison
clerk of the
Council.

Letters to
Virginia
and other
colonies.

18 April.
Dellius re-
turns and
is reward-
ed.

* Council Min., vi., 20, 21; C. I. Doc., III., 731-732, 736-738; Doc. Hist., II., 220-223; Chalmers's Annals, I., 610, 611; ante, 641.

† Council Min., vi., 15, 17, 18; C. I. MSS., xxxvii., 123; C. I. Doc., III., 771, 772; iv., 459; ante, 407, 408, 457, 511, 535, 536, 624.

CHAP. XII.

1691.

9 April.
Assembly
meets.Its mem-
bers.Speaker
and clerk.Speeches of
Sloughter
and Dud-
ley to the
Assembly.

15 April.

17 April.
Its resolu-
tions
against
Leisler's
arbitrary
acts.

On the appointed day the Assembly which Sloughter had summoned met in the city of New York. It was the first time that the popular representatives of the province had convened under the direct authority of the English crown. The metropolis elected James Graham, after a contest with Abraham de Peyster, and William Merrett, Jacobus van Cortlandt, and Johannes Kipp. Albany chose Dirck Wessells and Levinus van Schaick; Ulster and Dutchess, Henry Beekman and Thomas Garton; Westchester, John Pell; Richmond, Elias Duxberry and John Dally; Suffolk, Henry Pierson and Matthew Howell; Queens, John Bound and Nathaniel Pearsall; Kings, Nicholas Stillwell and John Poland. Rensselaerswyck afterward sent Killian van Rensselaer. All the elected burgesses took the appointed oaths, with the Test, except those from Queens county, who scrupled because they were Quakers; in whose places Daniel Whitehead and John Robinson were returned. William Demire was also chosen from Ulster in place of Garton, who "could not attend." The members, who were all opposed to Leisler, chose James Graham, of New York, for their speaker, and John Clapp, who had drawn up the Queens county letter of November, 1690, their clerk. For many years, in want of better accommodation, the Assembly "sat in a Tavern."

The governor and "President" Dudley each made speeches to the Assembly, advising them to prepare an address to their majesties, as well as laws to establish courts of justice, to maintain ministers in every town, to quiet the troubles in the province, to support the garrison at Albany, and to continue the revenue. As its first work, the Assembly took up a petition "by several Freeholders, inhabitants within this Province, setting forth several oppressions and hardships executed upon their Majesties subjects in this Province by Jacob Leisler, Samuel Edsall, and others." Upon consideration, the House resolved unanimously that Leisler's acts had been tumultuous, illegal, arbitrary, destructive, and rebellious; and that the tragedy at Schenectady could only be "attributed to the disorders and disturbances

* Assembly Journals, I. 1-19, 177, 191; Council Journals, I. 1-6, 219, 220; Col. Doc., III. 756, 761, 768, 769, 782, 785; IV. 219, 247, 1113; Doc. Hist., II. 229; Smith, I. 112, 113; DuRoi, I. 297; II. App. XLVII, XLVIII; ante, 625, 626.

of those who had usurped a power contrary to their Maj-
esties authority, and the right of government over this
Province." This expression of the popular voice of New
York was agreed to by the governor and Council, and or-
dered to be published. In answer to Slaughter's request
for their opinion concerning a reprieve to Leisler and Mil-
borne, the Assembly resolved "that their Majesties have
only intrusted that matter of reprieving with his Excellen-
cy alone, and they dare not give their opinion thereupon."
At the same time they presented him an address, "That as
in our hearts we do abhor and detest all the rebellious ar-
bitrary and illegal proceedings of the late usurpers of their
Majesties' authority over this Province, so we do, from the
bottom of our hearts, with all integrity, acknowledge and
declare that there are none that can or ought to have to
rule and govern their Majesties subjects here, but their
Majesties' authority, which is now placed in your Excel-
lency."*

CHAP. XII.

1691.

15 April.

20 April.

18 April.

Rebellion
abhorred
by the As-
sembly.

24 April.

A few days afterward, upon information "That the sev-
eral laws made formerly by the General Assembly and his
late Royal Highness, James, Duke of York, &c., and also
the several ordinances or reputed laws made by the pre-
ceding governors and councils, for the rule of their Majes-
ties' subjects within this Province, are reported amongst the
people to be still in force," the House resolved unanims-
ly, "That all the laws consented to by the General Assem-
bly, under James, Duke of York, and the Liberties and
Privileges therein contained, granted to the People, and de-
clared to be their Rights, not being observed, and not rati-
fied and approved by his Royal Highness, nor the late King,
are null, void, and of none effect: And also the several or-
dinances made by the late Governors and Councils, being
contrary to the Constitution of England, and the practice
of the government of their Majesties other Plantations in
America, are likewise null, void, and of none effect nor
force within this Province." Whatever may have been
the motive for this extraordinary resolution, the Assembly
did not present it to the governor and Council for their
concurrence, and therefore it never had any legal effect in

The As-
sembly re-
solves that
the coloni-
al laws of
James are
void.The Coun-
cil does not
concur in
this resolu-
tion.

* Assembly Journals, I., 2-7; Council Journals, I., 2-4; Smith, I., 113, 114; Doct. Hist., II., 207, 208.

CHAP. XII. New York. James's laws remained in force there until regularly repealed.*

1691.

6 May.
Assembly's
address to
William
and Mary.

A loyal address to the king and queen was now signed by the governor and Council, and the Assembly, and sent to England by way of Virginia. Its chief point was to define more clearly the "territories depending" on the province, mentioned in Sloughter's commission and instructions. The king was therefore prayed to annex again Connecticut, New Jersey, Pennsylvania, and Delaware to New York, and thus re-establish her ancient bounds, for her better defense and support.†

15 April.

Bills to be
drawn by
attorney
general.
16 April.

As the members of the House of Assembly were not experts in legislation, they asked the governor and Council that Attorney General Newton might "draw up such bills as are necessary for their Majesties' service, and the good of this government." This was ordered; but Newton at the same time told the Assembly that the governor had directed him to go to Boston, and bring back the provincial records. He was answered that "it was his duty and business to attend this House during the sessions." Newton, however, went to Boston, as Sloughter had ordered; and the difficulty was overcome by the appointment, first, of George Farewell, and then of Speaker Graham, to draft the Assembly bills.‡

6 May.
Law to
quiet disorders.

The first royal General Assembly of New York passed fourteen laws. Of these, the earliest was "for quieting and settling the disorders that have lately happened within this Province, and for the establishing and securing their Majesties' present government against the like disorders for the future." This law was thought "very necessary to remove the people's mistake they had been poisoned with from New England, that the Crown has nothing to do with the people here." It enacted "that there can be no power and authority held and exercised over their Majesties' subjects

* Assembly Journals, i, 8, 9; Smith, i, 114, 115; Chalmers's Annals, i, 555; Butler, 41; Daly, 34. Compare Journal of the Legislative Council of New York, i, 5-10, in which there is no record of the concurrence of the Council, nor of the assent of the governor. Smith ascribes this action of the Assembly to "arrogance" rather than to "ignorance;" but I can not see how such transparent stupidity could deceive or sway even the weak Sloughter, much less his Council.

† Col. Doc., iii., 623, 655, 742, 758, 769, 795; Assembly Journals, i, 3, 11; Council Journals, i, 7; Col. MSS., xxvii., 87, 88.

‡ Assembly Journals, i, 5, 7, 8, 10, 11, 12; Council Journals, i, 3, 7; Council Min., vii., 12, 51; Col. MSS., xxxvi., 91, 233; Col. Doc., iii., 721, 769; iv., 347.

in this their Province and Dominion, but what must be derived from their Majesties, their heirs and successors ; * * * and that none ought or can have power, upon any pretence whatsoever, to use or exercise any power over their subjects in this Province, but by their immediate authority under their Broad Seal of their realm of England as now established." As Bayard and others had suffered severely under Leisler, it was further enacted "that whatsoever person or persons shall by any manner of way, or upon any pretence whatsoever, endeavour by force of arms or otherways, to disturb the peace, good, and quiet of this their Majesty's government, as it is now established, shall be deemed and esteemed as rebels and traitors unto their Majesties, and incur the pains, penalties and forfeitures as the laws of England have for such offences made and provided."*

CHAP. XII.
1691.

While the Assembly thus testified its loyalty to the English crown, it reasserted those popular rights which Dongan's first Assembly had proclaimed. An act was passed, "declaring what are the rights and privileges of their Majesties subjects inhabiting within this Province of New York," which followed, with little variation, the language of the repealed "Charter of Liberties" of October 30, 1683. It differed from its model in extending the Test Act of England to New York, and in omitting the clauses referring to the "privileged churches" and their ministers throughout the province. At the instance of the Council, a proviso was inserted that it was not "to give liberty for any persons of the Romish religion to exercise their manner of worship contrary to the laws and statutes of their Majesty's Kingdom of England." This was necessary, because William's instructions to Slaughter required him "to permit a liberty of conscience to all persons *except Papists*." Following the example of New York, Massachusetts the next year passed a similar law. But the government of William not long afterward disallowed both these laws, because, among other things, they contained "several large and doubtful expressions."†

13 May.
Law declaring the rights of the people of New York.

* Bradford's Laws of New York, 1; Van Slichtenck, 1, 2; Col. Doc. 411, 790, 795; Assembly Journal, 1, 8, 9, 10; Council Journal, 1, 5, 91 south, 1, 161, 165; Chalmers's Rev. Col., 1, 231; Hargraves's State Trials, v. 424. The latter clause of this act was repealed June 27, 1704, in consequence of the proceedings in Leisler's case against Bayard and others; Council Journal, 1, 288, 291; Col. Doc., 1, 1114, 1115.

† Bradford's Laws, 2-5 and 1697, 17-19; Assembly Journal, 1, 9, 12, 13, 14; Council

CHAP. XL. Another important act was passed "for establishing Courts of Judicature." This the governor, with his Council, had the power to do by his commission and Instructions. But Sloughter recommended a law to be passed similar to that of Dongan's in 1683, which was "a forme found very agreeable to the Constitution of this Government." So it was enacted that, besides various local tribunals, there should be a Supreme Court, to sit in the city of New York, and be held by a chief justice, a second justice, and associate justices, to be appointed by the governor. The act was limited to two years, but it was afterward renewed from time to time. Under this law Sloughter appointed Joseph Dudley chief, and Thomas Johnson second justice, and William Smith, Stephen van Cortlandt, and William Pinhome associate justices. All the judges were members of the Council. The chief justice was allowed an annual salary of one hundred and thirty pounds, and the second justice one hundred pounds, "for riding the circuit;" but no pay was given to the other three "puisné," or inferior judges.*

1691.
6 May.
Courts of
Judicature
established.

15 May.
Judges ap-
pointed.

"A revenue for defraying the public expense of the Province" was also granted by the Assembly. The moneys raised were to be paid to the receiver general, and issued under the governor's warrant. But the law was limited to two years; and this became a precedent, to the annoyance of the succeeding governors, who wished revenue to be granted for longer periods. At the same time, the Assembly asked the governor to order the receiver general to pay to Captain William Kidd one hundred and fifty pounds, "as a suitable reward for the many good services done to this Province," and also one hundred pounds to Major Ingoldesby for like "good services."†

Limited.

Kidd re-
warded.

Journal, i., 7, 8, 9; Smith, i., 117; Col. Dec., iii., 257, 370, 678, 689; iv., 263-265; Chalmers's Rev. Col., i., 236, 256, 241; Annals, ii., 51, 49, 72, 113; Hutch. Mass., ii., 64; Gordon's Amer. Rev., i., 97-99; Pomeroy, ii., 56, 95; Butler, 25, 40, 41; N. Y. Laws of 1816, ii., App. B, c. vi. *ante*, 383-385, 423; *post*, Appendix, Note E.

* Bradford's Laws (1694); Paine and Paine's Practice, ii., App. 715; Assembly Journal, i., 4, 5, 8, 9, 10; Council Journal, i., 3, 3, 6; Council Min., vi., 27; Col. Dec., iii., 604, 641, 657, 716, 756, 818, 843; iv., 256, 28, 37, 113, 7; Wood, 140; Smith, i., 116, 373, 689; Larkin, 15; Daly's Sketch, 24, 35, 39; Laws of 1816, ii., App. VII.-x.; *ante*, 386.

† Bradford's Laws, 27; Chalmers's Rev. Col., i., 244; Smith, i., 116; Butler, 41 A. *ante*, Assembly Journal, i., 6, 7, 13, 14; Council Journal, i., 2, 3, 7, 9, 19; *ante*, 455. At the same time that Captain Kidd received the money voted him by the Assembly, he was married to Sarah, widow of the Late John Cort of New York: Val. Man., 1817, 354; C. B. MSS., xxxviii, 112, 121; Dec. Hist., ii., 219; Hunt's Merchants' Mag., xiv., 41, 42.

The Assembly, however, did nothing in regard to Slough-
 ter's recommendation for the establishment of ministers in
 each town. A bill was drafted by Farewell, but it was re-
 jected, "not answering the intent of the House." The last
 law passed by the Assembly was "for pardoning such as
 have been active in the late disorders." It excepted, how-
 ever, the most prominent actors, Jacob Leisler, Jacob Mil-
 borne, Gerardus Beekman, Abraham Gouverneur, Abra-
 ham Brasher, Thomas Williams, Myndert Coerten, and Jo-
 hannes Vermilye, who had already been attainted of trea-
 son and murder; and also Nicholas Blank, Garret Duyck-
 inck, Hendrick Jansen, John Coe, William Lawrence, Cor-
 nelis Pluvier, William Churchill, Joost Stoll, Samuel Staats,
 Jacob Maurits, Robert Leacock, Michael Hansen, Richard
 Parton, Joseph Smith, John Bailey, Redloff Swartwout, An-
 thony Swartwout, Johannes Provoost, Jacob Melyn, Benja-
 min Blagge, Joehim Staats, and Richard Pretty, who had
 been Leisler's most obnoxious followers.*

All the laws were duly promulgated at the City Hall,
 and the Assembly was adjourned to the next September.
 At the same time, the governor issued his proclamation
 "for calling back such as through fears and jealousies have
 deserted their habitations, and to assure them of freedom
 and liberty from unlawful and vexatious suits."†

Meanwhile the conviction of Leisler and his accomplices
 had produced great excitement in the province. A pe-
 tition for their pardon was largely signed, especially in
 Staten Island and in Westchester; for which Daillé was
 cited before the Assembly, and others imprisoned by order
 of the Council as promoters of "riots and disturbances."
 Word also came from Albany that the Mohawks, disgusted
 with Leisler's mismanagement, were in treaty with the
 French, and that it was indispensable that the governor
 should quickly conciliate the Five Nations. Those inhab-
 itants who had suffered under the late administration bit-
 terly complained of its tyranny, and demanded expiation.
 The Dutch ministers, Selwyn, Varick, and Dellius, constant-
 ly preached and talked about Leisler's tyranny; and even
 the "wives of principal men" besought the governor "to

1691.

1 May.

No minis-
ters' bill.

16 May.

Amnesty
law—cer-
tain excep-
tions.

18 May.

Sloughter's
proclama-
tion.Petitions
for Leis-
ler's par-
don.His execu-
tion de-
manded.

* Assembly Journal, I, 7, 10, 11; Dec. 15th V's Laws (1691), 61, 62; Dec. 11th, II, 295; 306, 410.

† Assembly Journal, I, 14; Council Journal, I, 10; Col. MSS., xxxvii, 116.

ALL have compassion on them and the country" by executing the sentence of the court. "Upon the clamour of the People daily coming to his Excellency's ears," Sloughter asked the opinion of the Council; which unanimously resolved, "That, as well for the satisfaction of the Indians, as the asserting of the government and authority residing in his Excellency, and preventing insurrections and disorders for the future, it is absolutely necessary that the sentence pronounced against the principal offenders, be forthwith put in execution." The governor's first purpose had been to reprieve the condemned until the king's pleasure should be known; but the "clamour" of Leisler's and Milborne's victims could neither be restrained nor disregarded. Sloughter, said to have been induced by his wife, accordingly, with reluctance and sadness, signed a warrant for the execution of Leisler and Milborne, leaving the other convicts under reprieve. The same evening Domine Selyns was sent to announce to the prisoners their several fates, and exhort to preparation those who were to die. The resolution of the Council was communicated to the Assembly, which the next day answered "that this House, according to their opinion given, do approve of what his Excellency and Council have done." The judgment of the court was accordingly executed on Leisler and Milborne the following morning, which was Saturday. The governor "respected all the sentence saving the hanging and the separating their heads from their bodies." The gallows on which they were hung was near the old "Tammany Hall," in the city of New York, and their bodies were buried at its foot. Domine Selyns, in the midst of a drenching rain, offered the last consolations of religion to the sufferers. Leisler, in his dying speech, acknowledged "several enormities" committed against his will, and prayed for "pardon and forgiveness." Milborne, in a more theatrical vein, seeing Livingston in the crowd, impeached his recent Albany victim "before God's tribunal."*

1664.
The execution
of the
warrant
could be
executed.

14 May.
Sloughter
signs the
death-warrant
of
Leisler and
Milborne.

15 May.

16 May.
Leisler and
Milborne
executed.

Their dy-
ing speech-
es.

* Council Min., vi., 22, 26, 28; Assembly Journal, i., 9, 10, 11, 13, 14; Doc. Hist., 211, 212-215, 217, 230, 247, 248; Col. Doc., iii., 762, 768, 789, 792, 794, 812, 823; iv., 219, 499, 629; Col. MSS., xxxvii., 50, 96; Val. Man., 1866, 444; 1869, 544; 1866, 507; N. Y. H. S. Proc., 1869, 168; Golden, i., 136, 137; Smith, i., 118, 119; Dunlop, i., 208, 209; Grahame, ii., 251; Bancroft, iii., 54, 55; New York H. S. C. Cl. (1868), 71, 72, 321, 496, 499, 414. "Upon the execution," Smith (i., 119) asserts that Sloughter was invited to a feast, and that "when his Excellency's reason was drowned in his cups, the entreaties of the company prevailed with him to sign

The execution of Leisler and Milborne, although perfectly lawful, was, nevertheless, a great political mistake. It at once made them martyrs instead of convicts, and gave rise to popular divisions, which for a long time injured the province. Concerning no prominent actor in New York colonial history has opinion more widely differed than in regard to Jacob Leisler. A German, and not a Dutchman, he has been generally held up as a champion of Dutch democracy against English aristocracy; of colonial liberty as opposed to the rule of the mother country; and of Protestantism against Romanism. His official career negatives these theories. His conduct proved him to be more a tyrant than a democrat, and as bitter an enemy of unquestionable Protestants as he was of avowed Roman Catholics. It was the selfish attempt of an upstart demagogue to obtain a local importance, which neither his own character nor the circumstances of the province warranted. Seizing colonial authority under false pretenses, he clutched it to the end with a firm hand, growing more confident, more despotic, and more obstinate as he gained lacking experience; and committing greater excesses in maintaining his impudent usurpation than any Governor of New York commissioned by the Duke of York or King James the Second. Leisler's assumption of provincial power did not benefit the English Revolution. If William's colonial government had remained in the hands of Nicholson or his counselors, the province would have been better protected against the French and the savages; the Canada expedition might have succeeded; and New York would not have suffered from the party enmities which long disturbed her peace.*

the death-warrant, and before he was executed the prisoners were executed." The records of the Council and Assembly seem to disprove this "tradition," although it is affirmed in a letter of members of the Dutch Church in New York to the Classis of Amsterdam of 21 October, 1688. They addressed the Assembly to Lord Bellomont of 15 May, 1693, attributes Slaughter's action chiefly to the "importunity" of Bayard, at whose house he was then residing: *N. Y. Journal*, N. Y. Hist. Soc., 63, 64; *Col. MSS.*, xliiii, 12; *N. Y. H. S. Coll.* (1893), 466, 464.

* *Col. Docs.*, iii, 327; *Chalmers's Ann.*, ii, 71, 72; *Wood's Long Island*, 109, 110, 111; *Miller's New York*, 50, 51, 111, 112; *Smith*, i, 118, 119; *Danlap*, i, 210, 211; *Grubbs*, ii, 231; *Panzer*, iii, 55, 56; *H. H. H. in Sparks's Amer. Biog.*, xiii, 179-208. Elbeling is a German, and not a Dutch writer, as stated by Danlap.

CHAP. XII.
1691.
The execution of Leisler and Milborne a political mistake: its consequences in New York.

APPENDIX.

NOTE A, CHAPTER I., PAGE 17; CHAPTER VI., PAGE 261.

King Charles the Second's Grant of New Netherland, &c., to the Duke of York.

CHARLES the Second by the Grace of God King of England, Scotland, France and Ireland Defender of the Faith &c. To all to whom these presents shall come Greeting: Know ye that we for divers good Causes and Considerations us therunto moving Have of our especial Grace, Certain knowledge and Express Motion Given and Granted and by these presents for us Our heirs and Successors Do Give and Grant unto our Dearest Brother James Duke of York his Heirs and Assigns All that part of the main Land of New Netherland beginning at a certain place called or known by the name of St. Croix next adjoining to New Scotland in America and from thence extending along the Sea Coast unto a certain place called Petraguine or Pennapill and so up the River thereof to the furthest head of the same as it tendeth Northward; and extending from thence to the River Kinchepiquan and so Upwards by the Shortest course to the River Canada Northward. And also all that Island or Islands commonly called by the several name or names of Mat-wacks or Long Island situate lying and being towards the West of Cape Cod and the Narrow Higumetts abutting upon the main Land between the two Rivers there called or known by the several names of Connecticut and Hudsons River together also with the said River called Hudsons River and all the Land from the West side of Connetquot to the East side of Delaware Bay. And also all those several Islands called or known by the names of Martins Vineyard and Nantukes otherwise Nantuckett; Together with all the Land, Islands, Soils, Rivers, Harbors, Mines, Minerals, Quarries, Woods, Marshes, Waters, Lakes, Fish, Fowl, Hacking, Hunting and Fowling and all other Royalties, Profits, Commodities and Beneficiments to the said several Islands, Lands and Premises belonging and appertaining with their and every of their appurtenances; And all our Estate, Right, Title, Interest, Benefit, Advantage, Claim and Demand of in or to the said Lands and Premises or any part or parcel thereof And the Reversion and Reversions Remainder and Remainders together with the yearly and other the Rents, Issues and Profits of all and singular the said Premises and of every part and parcel thereof To have and to hold all and singular the said Lands, Islands, Hereditaments and Premises with their and every of their appurtenances hereby given and granted or heretofore given and granted unto our Dearest Brother James Duke of York his Heirs and Assigns forever To the only proper use and behoof of the said James Duke of York his Heirs and Assigns forever To the full use and behoof of Us our Heirs and Successors as of our Manor of East Greenwich and of the County of Kent in fee and common socage and not in Capite nor by Knight service and not in frankalmoigne. And the said James Duke of York doth for himself his Heirs and Assigns forever and promise to yield and render unto us our Heirs and Successors of and for the same part and parcel of our forty Barons when they shall be demanded or within Ninety days next after the next full moon after the day of the next certain knowledge and mere motion for us our Heirs and Successors to Give and Grant unto our said Dearest Brother James Duke of York his Heirs, Heirs, Assigns, Children, Heirs and Assigns by these presents full and absolute power and authority to direct, govern, rule, govern and rule all such the subjects of us Our Heirs and Successors as they may hereafter to time adventure themselves into any of the parts or places aforesaid or that shall or should at any time hereafter inhabit within the same according to such Laws, Orders, Ordinances, Decrees and Instruments as by our said Dearest Brother or his Assigns shall be established; And he doth or should in case of necessity according to the good discretions of his Deputies, Commissioners, Councillors or Assigns respectively; as well in all causes and matters Capital and Criminal as civil both marine and others; So always as the said Statutes Ordinances and prelatours be not contrary to but as near as conveniently may be agreeable to the Laws, Statutes and Government of this Our Realm of England; And lying and reserving to us Our Heirs and Successors the respective Jurisdiction and determining of the Appeal and Appeals of all or any Person or Persons of lawfull birth and of the territories or Islands aforesaid in or touching any Judgment or Sentence of their and every of them to be given. And further that it shall and may be lawful to and for our said Dearest Brother his Heirs and Assigns by these presents from time to time to nominate, make, create, constitute and appoint any such name or name still or stillness to him or them shall seem good and likewise to revoke, discharge, change and alter as well all and sin-

gular Governors, Officers and Ministers which hereafter shall be by him or them thought fit and needful to be made or used within the aforesaid parts and Islands: And also to make, ordain and establish all manner of Orders, Laws, directions, Instructions, forms and Ceremonies of Government and Magistracy fit and necessary for and Concerning the Government of the Territories and Islands aforesaid, so always as the same be not contrary to the laws and statutes of this Our Realm of England but as near as may be agreeable thereunto: And the same at all times hereafter to put in execution or abrogate revoke or change not only within the precincts of the said Territories or Islands but also upon the Seas in going and coming to and from the same as he or they in their good discretions shall think to be fittest for the good of the Adventurers and Inhabitants there. And We do further of Our special Grace, certain knowledge and mere motion grant, ordain and declare that such Governors, Officers and Ministers as from time to time shall be authorized and appointed in manner and form aforesaid shall and may have full power and authority to use and exercise Martial Law in cases of Rebellion, Insurrection and Mutiny in as large and large manner as Our Lieutenants in Our Counties within Our Realm of England have or ought to have by force of their Commission of Lientenancy or any Law or Statute of this our Realm. And We do further by these presents for us Our Heirs and Successors Grant unto Our said Dearest Brother James Duke of York his Heirs and Assigns, That it shall and may be lawful to and for the said James Duke of York his heirs and Assigns in his or their discretions from time to time to admit such and so many Person and Persons to trade and traffic unto and within the Territories and Islands aforesaid and into every or any part and parcel thereof, and to have possess and enjoy any Lands or Hereditaments in the parts and places aforesaid as they shall think fit according to the Laws, Orders, Constitutions and Ordinances by Our said Brother his Heirs, Deputies, Commissioners and Assigns from time to time to be made and established by virtue of and according to the true intent and meaning of these presents and under such conditions, reservations and agreements as Our said Brother his Heirs or Assigns shall set down, order, direct and appoint, and not otherwise as aforesaid. And We do further of Our especial grace, certain knowledge and mere motion for us Our Heirs and Successors give and grant to Our said Dear Brother his Heirs and Assigns by these presents That it shall and may be lawful to and for him, them or any of them at all and every time and times hereafter out of any Our Realms or Dominions whatsoever to take lead, carry and transport in and into their Voyages and for and towards the Plantations of Our said Territories and Islands all such and so many of Our Loving subjects or any other strangers being not prohibited or under restraint that will become Our Loving subjects and live under Our Allegiance as shall willingly accompany them in the said voyages; together with all such clothing, implements, furniture and other things usually transported and not prohibited as shall be necessary for the inhabitants of the said Islands and Territories and for their use and defence thereof and managing and carrying on the trade with the People there and in passing and returning to and fro: Yielding and paying to us Our Heirs and Successors the Customs and Duties there due and payable according to the Laws and Customs of this Our Realm. And We do also for us Our Heirs and Successors, grant to Our said Dearest Brother James Duke of York his Heirs and Assigns and to all and every such Governor or Governors or other Officers or Ministers as by Our said Brother his Heirs or Assigns shall be appointed, to have power and authority of Government and Command in or over the Inhabitants of the said Territories or Islands that they and every of them shall and lawfully may from time to time and at all times hereafter forever for their several defence and safety encounter, expulse, repel and resist by force of Arms as well by sea as by land and all ways and means whatsoever all such Person and Persons as without the special Licence of Our said Dear Brother his Heirs or Assigns shall attempt to inhabit within the several precincts and limits of Our said territories and Islands: And also all and every such Person and Persons whatsoever as shall enterprize or attempt at any time hereafter the destruction, invasion, torment or annoyance to the parts, places or Islands aforesaid or any part thereof. And lastly Our will and pleasure is and We do hereby declare and grant that these Our Letters Patents or the enrolment thereof shall be good and effectual in the Law to all intents and purposes whatsoever notwithstanding the not reciting or mentioning of the Premises or any part thereof or the merits or Bounds thereof or of any former or other Letters Patents or Grants heretofore made or granted of the Premises or of any part thereof by Us or of any of Our progenitors unto any other Person or Persons whatsoever, Bodies Politic or Corporate, or any Act, Law or other restraint uncertainty or imperfection whatsoever to the contrary in any wise notwithstanding: although express mention of the true yearly value or certainty of the premises or any of them or of any other gifts or grants by Us or by any of Our progenitors or predecessors heretofore made to the said James Duke of York in these presents is not made or any statute, act, ordinance, provision, proclamation or restriction heretofore had, made, enacted, ordained or provided, or any other matter, cause or thing whatsoever to the Contrary thereof in any wise Notwithstanding. In Witness whereof We have caused these Our Letters to be made Patents. Witness Ourself at Westminster the twelfth day of March in the Sixteenth Year of Our Reign. [1664]

By the King.

HOWARD.

Original in State Library, Albany; Patents, I, 109-115; Leaming and Spicer, 2-8; New York Colonial Documents, II, 295-298.

NOTE B, CHAPTER I., PAGE 18.

The Duke of York's Commission to Colonel Richard Nicolls.

JAMES, Duke of YORK and ALBANY, Earl of ULSTER, Lord High Admiral of ENGLAND and IRELAND, &c., Constable of Dover Castle, Lord Warden of the Cinque Ports, and Governor of Portsmouth, &c. WHEREAS it hath pleased the King's most Excellent Majesty, my Sovereign Lord and Brother, by His Majesty's Letters Patents, bearing date at Westminster the *Twelfth* day of *March* in the Sixteenth year of His Majesty's Reign, to give and grant unto me and to my Heirs and Assigns, All that part of the mainland of New England, Beginning at a certain place called or known by the name of *Saint Croix*, next adjoining to *Ac-Sadlad* in America, and from thence extending along the sea-coast, unto a certain place called *Petapague* or *Pemiquid*, and so up the River thereof to the furthest head of the same, as it runneth Northwards, and extending from thence to the River of *Knapshott*, and so upwards by the shortest course to the River *Canada* northwards; And Also all that Island or Islands commonly called by the several name or names of *Matawacky* or *Long Island*, situate, lying, and being towards the west of Cape Cod and the Narrows-Higansets, abutting upon the mainland, between the two rivers there, called or known by the several names of *Connecticut* and *Hudson's* River; Together also with the said River called *Hudson's* River and all the Land from the West side of *Connecticut* River to the East side of *Delaware* Bay; And Also all those several Islands called or known by the name of *Martin's Vin* and *Nantuxes* otherwise *Nantuxet*; Together with all the Lands, Islands, Soles, Rivers, Harbours, Mines, Minerals, Quarries, Woods, Marshes, Waters, Lakes, Fishing, Hawking, Hunting, and Fowling, and all other Rights, Privileges, Commodities, Hereditaments, to the said several Islands, Lands, and Premises belonging and appertaining, with their and every of their Appurtenances; To Hold the same to my own proper use and behoof, With Power to correct, punish, pardon, govern, and rule the Inhabitants thereof, by Myself, or such Deputies, Commissioners, or Officers as I shall think fit to appoint; as by His Majesty's said Letters Patents may more fully appear: And Whereas I have conceived a most opinion of the Integrity, Prudence, Ability and Fitness of *RICHARD NICOLLS*, Esquire, to be employed as my Deputy there, I have therefore thought fit to constitute and appoint, And I do hereby constitute and appoint him the said *Richard Nicolls*, Esquire, to be my Deputy-Governor within the Lands, Islands, and Places aforesaid, To perform and execute all and every the Powers which are by the said Letters Patents granted unto me, to be execute by my Deputy, Agent, or Assign. To HAVE AND TO HOLD the said place of Deputy-Governor unto the said *Richard Nicolls*, his heirs, during my will and pleasure only: Hereby willing and requiring all and every the Inhabitants of the said Lands, Islands, and Places to give obedience to him the said *Richard Nicolls* in all things according to the tenor of His Majesty's said Letters Patents: And the said *Richard Nicolls*, Esquire, to observe, follow and execute such Orders and Instructions as he shall from time to time receive from myself. Given, under my hand and seal, at *Whitehall*, this *Second* day of *April*, in the Sixteenth Year of the Reign of our Sovereign Lord *Charles* the Second, by the Grace of God King of England, Scotland, France, and Ireland, &c.,

JAMES.

By Command of His Royal Highness,

W. COMPTON.

Papers, I., 119-118; Learning and Spicer, 657-667.

NOTE C, CHAPTER VI., PAGE 271.

Governor Celve to the Burgomasters &c of New Orange.

Burgomasters and Schepens being on the invitation of the H^{on}. Govern^r. assembled Collegially in the City Hall on the 15 Oct^r 1674:—

The H^{on}. Governour General appearing at the meeting represents that he hath now received by the Government sup^{ly} the *Triple Treaty*, Letters & Absolute Orders from the Lords Majors and their High Mightinesses, for the Institution of this Province of N. Netherland to his Majesty of Great Britain pursuant to the Treaty of peace concluded on the 1st February last; with further order for himself to return immediately with the *Gardisoen*, which His Honour thought fit to communicate to the meeting, further stating to them if they had any Representation to make to their High Mightinesses, and His Majesty's that his Honour would willingly present the same.—
New Orange Records, vii., 267.

Governor Andrees to Governor Celve.

Being arrived to this Place with Orders to Recieve from you in the Behalf of his Mat^{ty} of Great Britany Pursuant to the Late Articles of Peace with the States General of the United Neatherlands, The New Netherlands and Dependencies, now under your Command, I have herewith, by Capt. Philippe Courtois and Jan. Caesar Kuyper, sent you the Respective Orders from the said States Generall, the States of Zealand and Admiralty of Amsterdam, to that Effect, and desire you

Please to appoint some short time for it, Our Soldjers having [been] long aboard, I pray your Answer by these Jentlemen and I shall bee Ready, to serve you in what may Lay in my Power, Being
Your Very Humble Servant.

From aboard His Maties Ship
The Diamond, att Anker neare
Staten Island this 22nd of Oct^r
1674.

Superscription.

"For the Hble The Governour
Commander in Chief in The
New Netherlands, These."

Col. MSS., xxiii., 412.

Governor Andros to Governor Colve.

Sr.—I Received yours Last Night of the same date, by Capt Carell Episcopy & Lient Charles Quirynse which were I com in a private capacity or bound elsewhere, is very obligin to my superiors and Family. But I am surprized that being sent Authorized as I am for Receaving the Place which I length you severall Reteirated the States Generall, the States of Zealand & Admiralty of Amsterdam (which you also tell mee you had Already received before my Arival & itt being so long after the Tyme, it should have been delivered if demanded) you have nott, so Much as Sett any Time for the Effecting itt, I doe not Doubt the Freedom, & y^e Kind Usage of all English, In generall wh^{ch} is daylay practiced between our Superiors, & Two Nations in Vrope, & Elsewhere, but having no Orders to Land upon a private accompt & The Ships sent wth mee by the King of England, my Master, being nott onely at very great Expense, but designed for his Service, elsewhere as soone as I am possed of this Place, I againe desire you y^e pursuant to the Articles of Peace, & the Severall Or^{rs} you have Received, you will appoint a short Tyme for Effecting itt.

This is by Cap^{ts} Philippe Carterett, Cap^{ts} Mathias Nicolls & Ens: Cesar Knapton who will tel you the same things verbally, and also assure you as I now doe that if M^r Colve or any of y^{or} Ships should nott be Ready to goe on Bord, or Saile, that you shall nott onely have all Indisconform as is dayly Practised att Home, butt my selfe, Ready to Sarve you upon all occasions to my Powers: So nott Doubting y^{or} Considering things as they your present Resolve, Conformation to friendship & orders of Superr^{rs} & desiring y^e Answer by these Jentlemen, I am in Reality
Y^{or} Friend & Humble Servant,

From Abord his Mat^{rs} ship
The Diamond, at Anker neare
Staten Island; 23rd Oct^r 1674.

Signed

Edw Andros.

Col. MSS., xxiii., 416.

Governor Andros to Governor Colve.

Sr.—I received y^{or}s yesterday in the Evening in answer to mine by the hands of Cap^t Philip Carteret Matthias Nicolls & Ensigne Cesar Knapton.

You tell me That you hoped & did not doubt but within the space of eight days you would be ready pursuant to y^e Articles of peace and Instructions to Surrender y^e place now under y^{or} Command.

If the Time for y^e Surrender had beene certainly prefixt & by a Lesse space, I should not have had [the necessity of] giving you this farther Trouble. Now once againe by the same Gentleman I Desire you to lett me [know with certainty when] I & my forces may pursuant both to your own Orders [take possession of the] Fort and Government you now are [commanding] I also wish you to take into your Consideration to pitch upon a shorter time then you have proposed:

These Gentlemen I have now appointed to discourse with you about the [time] thereof that nothing may further interveine to delay it & for the furthering of which if you thinke convenient & you may please to send some of y^{or} Council to mee (or whom else you shall thinke fitt to authorize) that we may have conference about the same.

I should bee very glad these matters may bee concluded in a Faire & amicable way I doe hope & will not doubt y^{or} effectuall answer, desiring nothing more then a friendly Conference & the honor of seeing and serving you That I may not bee obliged pursuant as I thinke to my duty to justify my proceedings by a publick Protest. And if there yet shall remaine anything either publick or y^{or} private Concernes, if you please to let me Know it by these Gentlemen or any of them I shall bee very ready & glad of all opportunities to testify how much I am
Y^{or} Humble Servant.

From on board his Matieship
The Diamond at Anker
neare Staten Island Octob^r The 24th
1674.

Col. MSS., xxiii., 414.

Committee appointed to welcome Governor Andros.

24 October,
5 November, A^d 1674. Burgomasters and Schepens being met at the City Hall with the Burgher Council of war, they with the approbation of the H^e Governour, appointed and qualified, as they hereby appoint and qualify the H^e Cornelis Steenwyk, with the Heeren Burgomaster Johannes van Brugh & Willem Beckman to repair on board his Majesty's frigate now anchored under Staten Island, and there welcome the H^e Governour Andrews and to request together some privileges from him for the advantage of the commonalty.

The foregoing Commissioners returning this date reported that they welcomed the H^e Governour Major Andrews and requested from him to favor the Inhabitants with some privileges; Who answered them that they the Commissioners may assure the Inhabitants of the Dutch Nation that they should participate in the same privileges as those of the English Nation, and that his Honour would as far as possible promote their interests; referring himself further to the Instructions given him by his Royal Majesty & Highness the Duke of York.—*New Orange Records*, vii., 253.

Governor Andros to Governor Cole.

S^r.—I rec^d yo^r the last night by M^r Steenwyck & Capt Charles Eppisteyne together with the enclosed paper of several particulars relating to the Towne; To which (did I think my selfe Authorized to Treat particularly of them) at this time were my Family I should not scruple nor doubt to give you a particular and satisfactory Answer to most of them; which I hope you will have in the Gen^l by my Assa^ring you I now doe advise, That I am not only Com^manded punctually to observe the Articles of Peace, But have as so his Majesty's and Royall Highnesse particular Orders to do it in the best and most friendly manner with Kindnesse to such Dutch as I shall finde upon the place; As to y^e last relating to the Ship, I desire to do it as farr as reasonably they can expect (but it relates to some of our Actes of Parliament) I have spoken to one of the Owners, and desire that they will amongst themselves and the Master advise together, how farr that may be with safety, particularly to themselves; Upon which I shall bee willing to do the utmost in my Power accordingly. I have also told the Beare, Capt^t Matthias Nicolls, Personally to conferre with you, more at large to this effect in any of these particulars, if you shall think fitt. I am sorry for the Disorders you now see, happened in the Towne, which I doubt not are now wholly remedied by the Orders you have taken in commanding all the Souldyers to the Fort from rambling about the towne, as also in quieting all others to repaire Home, which will (without doubt) quiet Peoples mindes; so that if you have not already released those Souldyers committed for some disorders in the street (being drunk) I desire now desire you to Pardon them, in which you will oblige mee; so hoping to heere from you to morrow, for sending p^{er}sons on Shore to see and take knowledge of such things as you shall leave in the fort, for me to receive; with my thanks for yo^r last Civillties, being ready to serve you in what may ly in my Power, I remaine

S^rYo^r most humble Serv^t

E. Andros.

From on board his Maj^{ty}
Ship the Diamond at
Anchor neare Staten Island,
Oct. 25th. 1674.

Col. MSS., xxiii., 415, 418.

Governor Andros to Governor Cole.

No: 2d 1674.

S^r.—This is to return you my acknowledgements and thanks for both yo^r of the 10th and 11th ultimo upon the subject of my telling you in this place, being also obliged to you for yo^r good opinion and Character of me here; as shall be a great of all opportunity wherein I may testify yo^r Generosity in all yo^r proceedings since my arrivall to these parts.

I have upon yo^r desire wholly freed the two p^{er}sons you left mee here: I have also here enclosed sent you as you desired an answer to the Account to the severall particulars in the s^d paper which I hope you will bee satisfied it is full & as perfect as any way in my power. But againe assure you that having his Maj^{ty} & His R^{ty} Orders I shall endeavour all I may the good & welfare of y^e Inhabitants of this place.

I have now only to add to yo^r former acknowledgements and thanks for y^e present of the three horses & Coach, an only confest that y^e soon departure for soe great a distance will deprive me of y^e means of shewing how sensible I am of this particular obligation to my selfe.

This is by Capt. Matthias Nicolls & E. Caesar Knapton who will tell you the same verbally & wish you a good & prosperous journey, also requesting you from mee to let mee know all opportunities wherein I may serve you, and yo^r longer stay in these parts. Remaining

Col. MSS., xxiii., 420.

*I have not yet desire for your satisfaction
Given the following Answer to your severall
particulars*

To the 1st. I shall bee ready upon all occasions to conformance and bee helpful to any man that think fit to entrust in this place, as far as may bee in my power pursuant to the Articles of Peace & Law.

To the 2^d. To continue pursuant to Law and the utmost of the Articles of Peace.

To the 3^d. All Justice with friendship shall bee shewne, pursuant to the Articles of Peace.

To the 4th. The usuall discipline of their Church to bee continued to them as formerly, and the other of Inheritance, as farre as I may, & for those that shall desire it.

To the 5th. I have neither Orders nor directions for any pressing whatever and shall alwayes be glad to favour the Inhabitants therein.

To the 6th. I shall alwayes bee ready to allow & favour so charitable a worke.

To the 7th. I shall take fitting Care in this particular to the satisfaction of all the good.

To the 8th. I have seen since my arrivall severall orders or Decrees upon Record for the arrearing & forbidding the Effects of the West India Company in these parts, during the former Warre in 1664 & 1665, which I am also informed have since been accounted for at home, so not in my power.

To the 9th. I hope this will not bee expected from mee, which if due should have beene effected by my Predecessors & is not in my power.

To the 10th. This seems to relate to the first, However I have his Regall Highnesse particular Orders & Regulation for the Customes in every particular, from which I may not vary.

To the 11th. As to this particular, I shall continue all the favour and friendship I may pursuant to the Articles of Peace, and Acts of Parliament & shall not take any advantage or tolerate it, but afford a reasonable Time.

PROTOLLALS SENT BY GOVERNOR COLNE to Governor Andros previous to the Surrender of New Netherland, Oct. 27 1674.

Myn Hower—Pursuant to my last I have considered it my duty to propose to your Honor herewith the following Articles, on the one side for the greater satisfaction of my Lords & Masters, and on the other for the greater tranquillity of the good People of this Province, requesting I may receive your answer in the margin thereof—to wit:—

1st. As it is impossible to settle before my departure all the debts of the present government and to dispose of its effects consisting principally in the confiscated property of the late English Officers found here on the reduction of this Province, from which their personal debts must first be paid; and as it will be necessary for that end to leave authority here on behalf of my Lords Principals, I do therefore request that your Honor on being solicited, will be pleased to lend him a helping hand on all occurring occasions.

2. That all sentences and Judgments passed during my Administration may stand good.

3. That the present owners of the houses, lands and other effects of private persons confiscated during the war, may be maintained in their possession.

4. That the Inhabitants of the Dutch Nation may be allowed to retain their customary Church privileges in Divine Service and Church discipline besides their Fathers' laws & customs in the division of their Inheritances.

5. That they may be excused from Impressment, if not wholly at least against their own Nation.

6. That each Congregation whether Lutherans or others may support their own Poor.

7. That all Publick houses may continue according to the Customs now existing.

8. That the West India Company's creditors in this Country may be paid from their property and outstanding debts here.

9. That the City Tapsters Excise may remain for the benefit of the city until the debts of the City, contracted before my Administration, shall be paid, as was agreed unto by the Capitulation in the Year 1664.

10. Whereas the Inhabitants of this Province advanced some monies by form of a Loan for the fortification of this City, for the repayment of which money a small Impost was laid on exported Beavers and peltries and imported Indian goods, that the same Impost may stand good until the said expended monies shall be paid.

11. That the Ship the Beaver, Skipper Jacob Mauritz destined hence for Holland may be allowed to remain unmolested at anchor here to sell his goods, to receive his pay, to load his Ship here to depart with the same directly for Fatherland.

Y^r most humble Serv^t
For the Hon^{ble} Governor Colve on board the
States Ship the Strydam, These.

This is a true Copy of the Proposals sent by Governor Colve to Governor Andros before the surrender of the Fort bearing date Octobr 27th old stile with the Answer returned to the severall particulars therein afterwards: pursuant to the Assurance given by those employed.

MATTHIAS NICOLLS, Secr.

Endorsed

"Proposals from the
Dutch Governor and the Governor"
Answer Nov. 2^d 1674."

Col. MSS., xxiii., 419, 421.

Governor Andros to Governor Colve.

S^r—I have rec^d y^r of the 1st new stile, by Capt. Carel Eppesyn & Lieut Carel Quirinson, together with the orders in the respective places of this Government to bee delivered to mee pursuant to the Articles of Peace, And now have only to adde my acknowledg^{mt} and thanks for y^r further kind Expressions to mee in y^r letter.

As to y^r Postscript concerning pressing I doe hope my former Answer will bee satisfactory for quietting y^r minds of the Indebtedness: but for y^r owne further satisfaction I doe further assure y^o, that I shall neither impose nor desire their bearing Arms upⁿ their Nation.

As to Mr W^{ill} Deyalls makinging in words a person possesst of a Confiscated house, As soone as I heard it, I did check the said Deyall for so doing, telling him that all w^{as} to have the free benefit of y^e law & Articles of Peace & that As was the other of Right and Justice pursuant therunto which in all Cases shall bee my Rule, as it is my Orders.

This is by Capt. Matthies Nicolls who will tell you the same verballly: & by whom (having had many addresses) I have sent you such demands as have beene given mee in writings, for damages sustained from those under y^or Command, since the time limited for Peace in these Parts; upon which I pray & will not doubt y^or cleare Answer: If there bee any thing yet remaining wherein I may serve you before y^or voyage, I shall bee ready to testify how much I am

Y^o most humble Serv^t
November 7th 1674.

Endorsed

"Lre to Go. Colve
No. 7. 1674."

Col. MSS., xxiv., 7.

Governor Colve declares the Ldels. from their Allegiance.

At a Court: present the Heeren Burgomasters Schepens and Burgher Court Martial—holden and assembled by the Special Orders of the Heer Gouverneur General ANTHONY COLVE, at the City Hall of the City *N. O. Orange*, the 8th November *anno domo*, A^o 1674.

The H^{on} Governor General appeared in Court and informed the Court that he, pursuant to the orders of his Lords Principals, should on to-morrow Surrender the Fort and this Province of N. Netherland, conformably to the Articles of Peace, to the H^{on} Major Andros on the behalf of his Majesty of Great Britain. And that thereupon there was the Meeting for their past services and at the same time absolved and discharg^d them from the Oath of Allegiance taken to their High Mightinesses and his S^{erene} Highness: further ordered that the 5th Banners of the Out people together with the Cushions and Table Cloth now in use in Court should be taken Charge of by the Pargomaster Johannes van Brugh and they were discharged & removed by Superior Authority—taking thereupon, further, his farewell of the Assembly which I testify having occurred.

EPHRAIM HEEMAN, Sec.
N. O. Orange Records, vii., 254.

Governor Colve to the Sheriff of Esopus.

Honourable, Beloved, Faithfull—Whereas I have received ample orders from my Lords Superiors their High Mightinesses the Lords States General of the United Netherlands, their Mightinesses the Lords delegated Commissioners for the Province of Zealand, and their Mightinesses the Lords Commissioners in the Board of Admiralty at Amsterdam, for delivering up the Province of New Netherland for the behoof of his Majesty of England, pursuant to the Treaty of Peace concluded between the two Nations dated the 19 February, to the Heer Major Edmund Andros who hath also arrived here from his Majesty of England for that purpose, with orders & qualifications to me exhibited, your Honour is therefore ordered & charged on receipt hereof to deliver up and hand over to the aforesaid Heer Major Andros or to whomsoever his Honour shall qualify thereunto, according to the tenor of said Treaty of Peace the command, Right and Jurisdiction of the Places situate under your Honors respect further being and wishing at all times to hear of your future

HISTORY OF THE STATE OF NEW YORK.

... of peace & welfare; finally assuring your Honour that my further services in Virginia
... I am your affectionate friend

(was undersigned)

A. COLVE.

... William Hendrick

... New Netherland ady 10 Nov^r 1674.

... prescription reads thus

Honourable Beloved Faithful

Sieur Isaac Greverael Scout in the village

Swanenburg in the Esopus.

Agrees with the original

To my knowledge

W. DE LA MONTAGNE, Sec^{ry}.

Col. MSS., xxiii., 123.

Surrender of New Netherland to the English.

On the 10 November A^o 1674, the Province of New Netherland was surrendered by Governor Colve to Governor Major Edmund Andross on behalf of his Britannick Majesty.

New Orange Records, vii., 255.

Col. MSS., xxiii., 412-423; xxiv., 1-13; *New Orange Records*, vii., 227, 256-255; *Vol. Nat.*, 1st, 621; 152; 416-421; 183; 489, 495; *Doc. Hist.*, iii., 47, 52.

NOTE D, CHAPTER VII., PAGE 234.

Petition of the Members of the Court of Assizes, to the Duke of York, for an Assembly.

To His Royal Highness, James, Duke of York and Albany:

The humble petition of the council of the aldermen of New-York, and of the justices assembled at a special court of assize held at the city of New-York, June 24th, 1681,

Sheweth—That we, your royal highness' most humble and obedient servants, assembled together by virtue of your royal highness' authority established in his colony, humbly craving the conjunction and assistance of this court to make a submissive address to your royal highness: therein representing the great pressure and lamentable condition of his majesty's subjects in this your royal highness' colony; and also presenting, for the only remedy and ease of those burdens, that assembly of the people may be established by a free choice of the freeholders and inhabitants of this your royal highness' colony. The which request we having maturely and deliberately weighed and considered, and having full assurance of your royal highness' good gracious and real intention, to encourage and advance the ease, benefit, and advantage of trade, and the merchants and inhabitants of this your said colony, and the removal of all things that might obstruct or hinder the same to us particularly, signified by your gracious commission given to John Lewin, your royal highness' agent and servant here, bearing date the 24th of May, 1680, which with great joy and general satisfaction was received and published. Expecting and longing for the happy event of such your royal highness' grace and favour, the enjoyment of which we have not as yet attained, we find ourselves encouraged and obliged to concur with the said grand injustice; and in all submissive manner to prostrate ourselves at your royal highness' feet, to represent the miserable and deplorable condition of the inhabitants of this your royal highness' colony, who for many years past have groaned under inexpressible burdens by having an arbitrary and absolute power used and exercised over us, by which a yearly revenue is exacted from us against our wills, and trade grievously burdened with undue and unusual customs imposed on the merchandize without our consent—our liberty and freedom intruded, and the inhabitants wholly shut out and deprived of any share, vote, or interest, in the government, to their great discouragement, and contrary to the laws, rights, liberties, and privileges, of the subject; so that we are esteemed as nothing, and have become a reproach to the neighbours in other his majesty's colonies, who flourish under the favour and protection of his majesty's unparalleled form and method of government in his realm of England, the undoubted birthright of all his subjects. Which necessitates us, in behalf of this your royal highness' colony, to become humble suppliants and suitors to your royal highness; praying, and we do hereby humbly and submissively, with all obedience, pray and beseech your royal highness, that, for the redressing and removal of the said grievances, the government of this your colony may, for the future, be settled and established, ruled and governed, by a governor, council, and assembly, which assembly to be duly elected and chosen by the freeholders of this your royal highness' colony, as is usual and practicable with the realm of England, and other his majesty's plantations. Which will give great ease and satisfaction to all his majesty's subjects in this your royal highness' colony: who desire no greater happiness than the continuance of your royal highness' grace and favour, and to be and remain his majesty's loyal and free subjects.

By order, &c.,

John West, Clerk of Assize.

Wool's Long Island, pp. 178, 179.

NOTE E, CHAPTER VIII., PAGE 584, AND CHAPTER XII., PAGE 645.

"THE CHARTER of Liberties and Privileges granted by his Royal Highness to the Inhabitants of New-York and its Dependencies.

[Passed, Oct. 30, 1683.]

"For the better establishing the Government of this province of New-York, and that Justice and Right may bee equally done to all persons within the same: Bee it enacted by the Governor, Council, and Representatives now in g^{en}all assembly, mett and assembled, and by the authority of the same,

"Thatt the Supreme legislative Authority under his Majesty and Royall Highnesse James, Duke of York, Albany, &c. Lord proprietor of the said province, shall forever bee and reside in a Governour, council, and the people mett in a Generall assembly.

"Thatt the Exercise of the Chief magistracy and administration of the government over the said Province, shall be in the said Governor, assisted by Council, with whose advice and consent, or with att least four of them, hee is to rule and govern the same according to the laws thereof.

"Thatt in case the Governor shall dy or bee absent out of the province, and thatt there bee no person within the said province, commissioned by his Royall Highnesse his heyres or successors, to bee Governour or Commander in Chief there, thatt then the Council for the time being, or so many of them as are in the said province, do take upon them the Administration of the government, and the Execution of the laws thereof, and powers and authorities belonging to the Governour and council. The first person within, in which council is to preside until the said Governour shall retorne and arrive in the said province againe, or the pleasure of his Royall Highnesse, his heyres or successors, bee further knowne—

"Thatt, according to the custom, or some, and practice of the Realm of England, a sessions of a generall assembly bee held in this province once in three yeares att least.

"Thatt every freeholder within this province, and freeman in any corporacon, shall have his free choice and vote in the Electing of the representatives, without any manner of constraint or imposition, and thatt in all Elections the Majority of Votes shall carry itt, and by freeholders is understood every one who is so called according to the laws of England.

"Thatt the persons to bee elected to sit as representatives in the Generall assembly from time to time for the severall Cities, Towns, Countyes, Shires, or divisions of this province, and all places within the same shall bee according to the proportion and number hereafter expressed—That is to say—For the city and county of New-York four—For the county of Suffolk two—For Queens's county two—For Kings's county two—For the county of Richmond one—For the county of Westchester one—For the county of Ulster two—For the county of Albany two—And for Schenectade, within the said county, one—For Dutchess county one—For the county of Cornwall one.

"And as many more as his Royall Highnesse shall think fit to establish.

"Thatt all persons chosen and assembled in number aforesaid, or the major part of them, shall be deemed and accounted the representatives of this province, which said representatives, together with the Governor and his Council, shall forever be the supreme and only legislative power under his Royall Highnesse, of the said province—

"Thatt the said representatives may appoint their own times of meeting during their sessions, and may adjourne their house, from time to time, to such time as to them shall seem meet and convenient.

"Thatt the said representatives have the sole Judges of the Qualifications of their own members, and likewise of all unqualified and tarry, from time to time, upon their house as they shall see occasion during the said sessions.

"Thatt no Member of the Council Assembly, or their servants, during the time of their sessions, whilst they shall bee present, and returning from the said assembly, shall be arrested, sued, imprisoned, or in any wayes molested or troubled, nor bee compelled to make answer to any suite, bill, plaint, declaration or otherwise, of or for High treason and felony only excepted—*provided* the number of the said servants shall not exceed three.

"Thatt all bills agreed upon by the said Representatives, or the major part of them, shall bee presented in to the Governor and his Council for their approbacion and consent, all and every which said bills so approved of shall be presented to by the Governor and his Council, shall bee esteemed the Lawes of the province, which said lawes shall continue and remaine in force until they shall bee repealed by the Authority aforesaid: That is to say, The Governour, Council, and Representatives in Generall Assembly, by and with the approbacion of his Royall Highnesse, or expire by their own limitations.

"Thatt in all cases of death or removal of any of the said Representatives, the Governour shall issue out summons by Writt to the respective Towns, Cities, Shires, Countyes or Divisions for which hee or they so removed or deceased were chosen, willing and requiring the freeholders of the same to elect others in their place and stead.

"Thatt no freeman shall bee demanded, imprisoned, or bee dissolved of his freehold or liberty, or free customes, or be outlawed, excommunicated, or any other ways destroyed, nor shall be passed upon, adjudged or condemned, but by the lawful judgment of his peers, and by the law of this

province, justice nor right shall bee neither sold, denied, or deferred to any man within this province.

"Thatt no aid, tax, tallage, assessment, custom, loane, benevolence, or imposition whatsoever, shall bee layed, assessed, imposed, or levied on any of his Ma'ties subjects within this province, or their Estates upon any Manner of colour or pretence, butt by the act and consent of the Governor, counsell and representatives of the people in generall assembly mett and assembled.

"Thatt no Man, of what Estate or Condition soever, shall be putt out of his lands or tenements, nor taken nor imprisoned nor disinherited, nor banished, nor any wayes destroyed without being brought to answer by due course of law.

"Thatt a freeman shall not bee amerced for a small fault, butt after the manner of his fault, and for a great fault after the greatnesse thereof, saving to him his freehold, and a husbandman saving to him his wainage, and a merchant likewise saving to him his Merchandize, and none of the said ameracements shall bee assessed butt by the oath of twelve honest and lawfull men of the vicinage—*provided* the faults and misdemeanours be not in contempt of courts of Judicature.

"All tryalls shall bee by the Verdict of twelve men, and as near as may bee, Peers or Equals of the Neighbourhood, and in the County, Shire, or Division where the fact shall arise or grow, whether the same bee by Indictment, Informacon, Declaracon, or otherwise, against the person, offender, or defendant.

"Thatt in all cases capitall or criminall, there shall be a grand Inquest, who shall first present the Offence, and then twelve Men of the Neighbourhood to try the Offender, who after his plea to the Indictment, shall be allowed his reasonable challenges.

"Thatt in all cases whatsoever Bayle, by sufficient sureties, shall be allowed and taken, unlesse for Treason or Felony plainly and specially expressed and intencioned in the Warrant of Commitment; *Provided always*, that nothing herein conteyned shall extend to discharge out of prison, upon Baile, any person taken in execution for debts, or otherwise legally sentenced by the judgment of any of the Courts of Record within this province.

"Thatt no freeman shall be compelled to receive any marriners or souldiers into his house, and there suffer them to sojourne against their wills; *Provided always*, it be not in time of actual war within this province.

"Thatt no commissions for proceeding by martiall law ag'st any of his Ma'ties subjects, within this province, shall issue forth to any person or persons whatsoever, least by colour of them any of his Ma'ties subjects bee destroyed or putt to death, except all such officers, persons and souldiers in pay throughout the Government.

"That from henceforward no lands within this province shall be esteemed or accounted a chatel or personall Estate, but an Estate of Inheritance according to the customes and practice of his Majesty's realme of England.

"Thatt no Court or Courts within this province have, or att any time hereafter shall have any Jurisdiction, power or authority, to grant out any execucon or other writt, whereby any man's land may bee sold, or any other way disposed of, without the owner's consent; *Provided always*, that the issues or meane profitts of any man's land shall or may bee extended by execucon or otherwise, to satisfy just debts, any thing to the contrary hereof in any wise notwithstanding.

"Thatt no Estate of a feme covert shall be sold or conveyed butt by deed acknowledged by her in some Court of Record, the woman being secretly examined, if shee doth itt freely without threats or compulsion of her husband.

"Thatt all wills in Writing attested by two credible Witnesses, shall be of the same force to convey lands as other Conveyances being registered in the Secretary's office within forty days after the testator's death.

"Thatt a Widdow, after the death of her Husband, shall have her dower, and shall and may tarry in the chiefe house of her husband forty days after the death of her husband, within which forty days her dower shall bee assigned her, and for her dower shall bee assigned unto her the third part of all the lands of her husband during coverture, except shee were endowed of lesse before marriage.

"That all lands and heritages within this province and dependencyes, shall bee free from all fines and lycences upon alienacons, and from all heriotts, wardships, liverys, primier seizins, year, day, and wast, escheats, and forfeittures upon the death of parents or ancestors, naturall, unnaturall, casual or judiciall, and thatt for ever; cases of High Treason only excepted.

"Thatt no person or persons, which professe faith in God by Jesus Christ, shall, at any time, be any wayes molested, punished, disquieted, or called in question for any difference in opinion or matter of religious concernment, who do nott actually disturbe the civil peace of the province, butt thatt all and every such person or persons may, from time, and at all times freely have and fully enjoy, his or their judgments or consciences in matters of religion throughout all the province, they behaving themselves peaceably and quietly, and nott using this Liberty to Lycenciousnesse, nor to the civil injury or outward disturbance of others; *Provided always*, Thatt this Liberty, or any thing conteyned therein to the contrary, shall never be construed or interpreted to make void the settlement of any publique minister on Long Island, whether such settlement bee by two thirds of the voices in any Towne thereon, which shall always include the minor part; or by sub-

scriptions of particular inhabitants in said townes: *Provided*, they are the two thirds thereof: *But* that all such agreements, covenants and subscriptions that are there already made and had, or that hereafter shall bee in this manner consented to, agreed and subscribed, shall att all time and times hereafter, bee firm and stable: and in confirmation hereof, it is enacted by the Governour, Councell, and Representatives, That all such summs of money so agreed on, consented to, or subscribed as aforesaid, for maintenance of said publique ministers, by the two thirds of any towne on Long Island, shall always include the minor part, who shall bee regulated thereby: and also such subscriptions and agreements as are beforemencioned, are and shall bee always ratifyd, performed and payd, and if any towne on said I-land, in their publique capacity of agreement with any such minister or any particular persons, by their private subscriptions as aforesaid, shall make default, deny, or withdraw from such payments so covenanted to, agreed upon, and subscribed, thatt in such case, upon complaint of any Collector appointed and chosen by two thirds of such towne upon Long Island, unto any Justice of that County, upon his hearing the same, he is hereby authorized, empowered, and required to issue out his warrant unto the constable or his deputy, or any other person appointed for the collection of said rates or agreement, to levy upon the goods and lands of said delinquent or defaulting, all such summes of money so covenanted and agreed to be paid, by distresse, with costs and charges, without any farther suit in law, any Law, custome or usage to the contrary in any wise notwithstanding; *Provided always*, the said summe or summes bee under forty shillings, otherwise to be recovered as the law directs.

And whereas all the respective Christian Churches now in practice within the City of New-Yorke, and the other places of this province, doe appear to bee privileged Churches, and have been so established and continued by the former authority of this Government: *Be it hereby enacted by this present General Assembly, and by the Authority thereof*, That all the said respective Christian Churches be hereby continued therein, and thatt they and every of them shall from henceforth, forever, be held and reputed as privileged churches, and enjoy all their former freedoms of their religion in divine worship, and church discipline; and thatt all former contracts made and agreed on for the maintenance of the several ministers of the said Churches, shall stand and continue in full force and vertue, and thatt all contracts for the future to bee made, shall be of the same power; and all persons that are unwilling to performe their part of the said contract, shall bee constrained thereto by a warrant from any Justice of the Peace; *Provided* itt bee under forty shillings, or otherwise as the law directs: *Provided also*, That all other Christian Churches that shall hereafter come and settle within this province, shall have the same privileges.

A continued bill for defraying the requisite charges of the government.

[This continued bill grants certain duties on liquors, merchandizes, &c. to the Governor, for the support of government, and is on this day engrossed bill with the foregoing "charter of libertys," &c. and passed with itt.]

"New-Yorke, Oct. 26, 1683.

"The Representatives have assented to this bill, and order it to bee sent up to the Governour and Councell for their assent.

M. NICOLLS, Speaker."

"After three times reading, it is assented to by the Governour and Councell this thirtieth of October, 1683.

TWO DONGANS.

"John Spragge, Clerk of the Assembly."

MSS. in Secretary's Copy, Albany; New York Revised Laws, 1813, II., Appendix, iii.-vi.; Colonial Documents, III., 397-399.

NOTE V, CHAPTER X., PAGE 595.

It would seem, from the printed Minutes of "The Acts and Proceedings of the General Synod of the Reformed Protestant Dutch Church in North America" for the years 1866, 1867, 1868, and 1869, that that venerable body deliberately perpetrated one of the grossest outrages on American history ever done in this country. The Synod, after debate, and against the protest of some of the most devoted friends of the Church, resolved that the words "Dutch" and "Protestant" were not proper words to be retained in its title. Noisy and active members of the Synod denounced those words as "foreign" and not "American." Yet the oldest ecclesiastical body of Christians in our country is the one which has so persistently rejected these expressive designations. To say that the Church which had found place in America is not a "Dutch" Church, is to affirm a falsehood. To deny that that Dutch-American Church was a "Protestant" Church, is to reiterate an historical lie.

By this action of the venerable Synod of the Reformed Protestant Dutch Church in North America the history of our country has been belied. Ever since the surrender by the Dutch of New Netherland to the English, the Church which the Fatherland planted in New York was known and distinguished as a "Dutch" Church. Certainly it was a "Protestant" Church. How could it be otherwise? The blood of the martyrs in the "Dutch Republic" who resisted Alva must have been worthily diluted when any of their descendants in America could shrink from calling themselves "Dutch" and "Protestant."

In a vigorous memorial against the proposed change of this old "denomination," some members of it set forth their objections to the alteration of the name of the Church of their fathers. Their objections baffled, for a time, the synodical machinations of those who wished to destroy the identity of their ancient body. Its name was first officially given in the memorial which Dominie Selyns, of New York, and his Consistory, offered to Governor Dongan in 1688. It was confirmed by a charter which Governor Fletcher granted to the metropolitan corporation in 1796, under the title of "The Minister, Elders, and Deacons of the Reformed Protestant Dutch Church in New York." This is the oldest religious corporation in our country. It still retains its honorable historical name. Yet, under foolish guidance, its superior ecclesiastical authority, in the full light of day, rejected the words "Dutch" and "Protestant" from the title of an act by which the Legislature of the State of New York, in 1819, authorized "*The General Synod of the Reformed Protestant Dutch Church*" in North America to hold estate.

The memorial to the Legislature of New York, referred to above, presented in its session of 1868, stated the history of the Dutch Church in this country, and showed, among other things, that the resolution of the Synod to change its corporate name to that of "*The Reformed Church in America*" was the impudent appropriation of an ecclesiastical designation which might rightfully be shared by those "Reformed" Churches which French and German Protestants planted here, after the Dutch established theirs. This memorial was met by scurrility from some who called themselves "Christian." Nevertheless, the Legislature would not sanction the proposed synodical change of name in 1868. But, as a preponderating majority of Dutch Churchmen chose to follow those leaders who insisted on the change, controversy was abandoned, and the Legislature, in 1869, passed the desired law.

The Acts and Proceedings of the Reformed Protestant Dutch Church, 1663-1863; Historical Magazine for May, 1863, pp. 268-270; Hoffman's Ecclesiastical Law in the State of New York, pp. 98-129.

NOTE G, CHAPTER XI., PAGE 540.

The following is a copy of the Circular Letter of the English Privy Council to the several Colonial Governors:

After our very hearty commendations:—Whereas, WILLIAM AND MARY, Prince and Princess of Orange, have, with the consent and at the desire of the Lords Spiritual and Temporal, in Parliament Assembled at Westminster, been proclaimed King and Queen of England, France and Ireland, and of the Territories and Dominions thereunto appertaining; We have thought it proper to signify the same unto you, with directions that with the Council and other principal officers and inhabitants of (Virginia) you proclaim their most sacred Majesty, according to the form here enclosed [see N. Y. Col. Doc., iii., 695], with the solemnities and ceremonies requisite on the like occasion. And we do further transmit unto you their Majestys most gracious Proclamation, signifying their Majesty's pleasure that all men being in offices of Government shall so continue, until their Majesty's further pleasure be known. We do in like manner will and require you forthwith to cause to be proclaimed and published, as also that you do give order that the oaths herewith sent, be taken by all persons of whom the oaths of Supremacy and Allegiance might heretofore have been required; and that the said oaths of Allegiance and Supremacy be set aside and abrogated within your government. And so, &c. &c. &c.

From the Council Chamber, the 19th February, 1688-9.

HALIFAX, C. P. S.	SHEWSEBURY,	MACCLESFIELD,
BATH,	H. CAPEL,	J. BOSCAWEN,
WINCHESTER,	DEVONSHIRE,	DELAWARE,
R ^o HOWARD,	R. HAMPTON.	

"The foregoing dispatch was sent to, and acted on, in Virginia, and in Pennsylvania; and it would surely have been obeyed by Andros, if he had received it, in New England. Compare N. Y. Col. Doc., iii., 572, 583, 587, 588, 605; Chalmers, i., 431, 469; ii., in N. Y. H. S. Coll. (1868), 37; Anderson's Colonial Church, ii., 351, 352; Penn. Col. Rec., i., 340, 341; Historical Magazine, January, 1867, p. 19.

NOTE H, CHAPTER XI., PAGE 548.

The following is a copy of the Proclamation of Governor General Amoros, dated at Fort Charlot, at Pemaquid, on the 10th of January, 1688-9:

BY HIS EXCELLENCY

PROCLAMATION.

WHEREAS HIS MAJESTY hath been graciously pleased, by His Royal Letter, bearing date the sixteenth day of October last past, to signify that he hath received intelligence that a great and sudden Invasion from *His Majesty's* French, with an armed Force of Forreigners and Indians,

will speedily be made in an hostile manner upon His Majesty's Kingdom of ENGLAND; and that altho' some false pretences relating to Liberty, Property, and Religion, (contrived or worded with Art and subtilty) may be given out, (as shall be thought useful upon such an Attempt) It is manifest however, (considering the great Preparations that are making) That no less matter by this Invasion is proposed and purposed, than an absolute Conquest of His Majesty's Kingdoms, and the utter Subduing and Surrender of His Majesty and all His People to a Foreign Power, which is promoted (as His Majesty understands) altho' it may seem almost incredible) by some of His Majesty's Subjects, being persons of wicked and restless Spirits, implacable Malice, and desperate Designs, who having no sense of former intestine Distractions, (the Memory and Mirey whereof should ender it and put a Value upon that Peace and Happiness which hath long been enjoyed) nor being moved by His Majesty's royal Acts of Grace and Mercy, (wherein His Majesty hath studied and delighted to abound towards all His Subjects, and even towards those who were once His Majesty's avowed Enemies) do again endeavor to embroil His Majesty's Kingdom in Blood and Ruin, to gratify their own Ambition and Malice, proposing to themselves a Prey and Booty in such a publick Confusion:

And that although His Majesty had Notice that a foreign Force was preparing against Him, yet His Majesty hath always desired any foreign Succour, but rather hath chosen (merit under GOD) to rely upon the true and modest Courage, Faith and Allegiance of His own People, with whom His Majesty hath often victorious Hisself for the Honour of His Nation, and in whose Defence against all His Enemies He is already resolved to live and dye; and that He does solemnly Charge His Subjects to follow Him in the Defense of His Majesty's Person, and his native Country, heartily & cheerfully to Obey his Commands in the Defense of His Majesty's and their native Country, which invocations, words, and Commands cannot frustrate the principal Hope and Design of His Majesty's Enemies, who expect to find His People divided; and by publishing (perhaps) some plausible Reasons of their Country, and the specious (tho' false) Pretences of Maintaining the Protestant Religion, or Asserting the Liberties and Properties of His Majesty's People, do hope thereby to conquer that great and renowned Kingdom.

That albeit this Design hath been carried on with all imaginable Secresie & Endeavours to surprise and deceive His Majesty's People, yet it hath been wanting on His part to make such provision as did become Him, and by GOD's great Blessing, His Majesty makes no doubt of being found in so good a Posture that His Enemies may have cause to repent such their rash and unjust Attempt. ALL WHICH, it is His Majesty's pleasure should be made known in the most publick manner to His loving Subjects within this His Territory and Dominion of NEW-ENGLAND, that they may be the better prepared to resist any Attempts that may be made by His Majesty's Enemies in these parts, and severall in their Trade and Commerce with His Majesty's Kingdom of England.

I Do therefore, in pursuance of His Majesty's Commands, by these Presents make known and Publish the same to all His Majesty's loving Subjects within this His Territory and Dominion aforesaid, to be Read at Towns, Cities, and every Church and Command all Officers Civil & Military, and all other His Majesty's loving Subjects within this His Territory and Dominion aforesaid, upon the Approach of any Fleet or Force, in such they be in Readiness, and use their utmost Endeavour to hinder any Landing, or other thing that may be intended to be made within the same.

Given at Westminister the Tenth Day of January, in the Fourth year of the Reign of our Sovereign Lord WILLIAMS the Second, of England, Scotland, France and Ireland KING Defender of the Faithfull. Annoq; DOMINI 1688.

By His Excellency JOHN WILKES, Esq.

E ANDROS.

JOHN WILKES, Esq.

GOD SAVE THE KING.

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